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# Congressional Record

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No. 56

## House of Representatives

The House met at 12:30 p.m.

### MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed a concurrent resolution of the following title in which the concurrence of the House is requested:

S. Con. Res. 106. Concurrent resolution to correct the enrollment of H.R. 3525.

### MORNING HOUR DEBATES

The SPEAKER. Pursuant to the order of the House of January 23, 2002, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning hour debates. The Chair will alternate recognition between the parties, with each party limited to not to exceed 30 minutes, and each Member except the majority leader, the minority leader or the minority whip limited to not to exceed 5 minutes.

The Chair recognizes the gentleman from New Mexico (Mr. UDALL) for 5 minutes.

### URGING HOUSE REPUBLICAN LEADERSHIP TO GIVE PRESCRIPTION DRUG LEGISLATION THE TIME IT DESERVES

Mr. UDALL of New Mexico. Mr. Speaker, there are less than 65 legislative days in the calendar, and we have not dealt with one of the most important concerns: the issue of prescription drugs. Our seniors should not have to make a choice between paying rent or buying food and purchasing their prescription drugs.

In the 1960s, we stepped up to the plate and provided medical coverage for those over 65 years of age. The Congress passed and President Johnson signed the Medicare program in 1965. The program has grown, and now over

40 million seniors are a part of Medicare. It is a good, solid program which provides basic medical care, but it has not kept up with new medical developments.

Since 1965, a lot has changed in how we treat patients. Today if we were designing the medical care system for those over 65, prescription drugs would be an integral part of the whole. We have not adapted Medicare to modern medicine. Many of the chronic illnesses in our senior population can be treated effectively with new drugs which have been recently developed.

A prescription drug component to Medicare must have several key provisions:

- No. 1, it must be available to all of those covered by Medicare;
- No. 2, it must be affordable;
- No. 3, it must be voluntary;
- No. 4, a reasonable premium must be charged;

And No. 5, it must cover basic prescription drug needs.

Unfortunately, our Republican friends have proposed a proposal and a program which only covers 6 percent of the senior population. This is nothing more than a Band-Aid for a serious medical crisis. We must act to provide comprehensive coverage for all who want it, and we must do so now.

The other important action we must take is to eliminate the price discrimination in prescription drugs. The Prescription Drug Fairness Act does that. Today, an uninsured senior pays far more than an HMO for his or her prescription drugs. In a recent survey in my congressional district in northern New Mexico, uninsured seniors paid 115 percent more for their prescription drugs than large purchasers pay. That is more than double the price for uninsured seniors.

These big drug companies have set up a two-tiered system of pricing. The uninsured senior gets the higher-priced drugs, while the large corporate pur-

chasers, like HMOs, get a preferred customer price, a lower price.

To be fair, we must eliminate price discrimination. The Prescription Drug Fairness Act does just that. If any customer is charged a preferred customer price, then all customers are entitled to purchase at that price. This simple legislative solution would substantially reduce the price of prescription drugs, and we must pass this piece of legislation.

Just several words on our approach to passing prescription drug legislation. We cannot pass this legislation in a couple of hours. We must dedicate significant committee and floor time to find a bipartisan solution. Ramming a bill through the House in a couple of hours and then blaming the Senate for not acting is not responsible legislating.

I urge the Republican leadership to give this legislation the time it deserves, and to allow the Democrats the opportunity to fully participate in the legislative process.

### RECOGNITION OF TEACHERS OF THE YEAR

The SPEAKER pro tempore (Mr. CULBERSON). Pursuant to the order of the House of January 23, 2002, the gentleman from Texas (Mr. SAM JOHNSON) is recognized during morning hour debates for 5 minutes.

Mr. SAM JOHNSON of Texas. Mr. Speaker, it is an honor to bring to the attention of my colleagues several distinguished teachers from the Third Congressional District of Texas. I am pleased to recognize these recipients of the Teacher of the Year Award who enable our students to understand and learn from each other, and strive to achieve their goals.

Mr. Speaker, great teachers nurture our country's best hope for tomorrow: our children. Children may be a fraction of our society, but they are 100

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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percent of our future. The perseverance and dedication of our teachers challenge and shape students to dream, and to work hard to make those dreams come true.

Unfortunately, educators work with little public thanks or appreciation, even though topnotch teachers are essential to a strong future. These educators in particular go beyond the call of duty and selflessly make for our children and our country a better place.

It is my distinct honor to present the Third District of Texas's teacher of the year.

In the Allen Independent School District, Jackie Schornick and Maridee Ryan;

From McKinney Independent District, Tom Flurimonte and Ms. Lisa Stout;

From the Plano Independent School District, Mrs. Be Janet Tang and Ms. Diane Davey;

And from the Wylie Independent School District, Ms. Janet McMillen and Ms. Tricia Gent.

As a former Air Force instructor, a father, a grandfather, and the highest ranking Texan on the Committee on Education and the Workforce, I know firsthand the importance of a quality education. However, it is outstanding teachers like these who strive for excellence.

I thank the hometown heroes, the excellent educators, for all they do for our children, for America, and for our freedom. God bless them.

#### THIS YEAR CONGRESS SHOULD PASS AND THE PRESIDENT SHOULD SIGN H.R. 1862, GREATER ACCESS TO AFFORDABLE PHARMACEUTICALS ACT OF 2001

The SPEAKER pro tempore. Pursuant to the order of the House of January 23, 2002, the gentleman from Ohio (Mr. BROWN) is recognized during morning hour debates for 5 minutes.

Mr. BROWN of Ohio. Mr. Speaker, when large employers, unions, and progressive Members of Congress and governors and senior groups and consumer advocates join forces on the same issue, Congress listens. What is the issue? Prescription drugs and prescription drug prices. What is the remedy? Legislation pending in the Senate and House that would close loopholes in the Waxman-Hatch bill Congress passed in 1984.

Overall, the law, which was intended to help consumers gain access to blockbuster drugs and to, eventually, lower-cost generics, has worked well. Waxman-Hatch ensured brand name manufacturers almost 2 decades of patent protection, promoting important innovation and ensuring huge profits for the prescription drug industry.

Between 1983 and 1995, drug companies increased their R&D investment, in large part because of Waxman-Hatch, from 14 percent to 19 percent of sales. They earned quite a healthy

profit on that investment. U.S. pharmaceutical sales rose 200 percent, from \$17 billion to \$57 billion. The act streamlined the generic drug approval process to help bring lower-cost prescription drugs to the market. Last year, generic drugs accounted for 42 percent of all prescriptions dispensed.

But the big drug companies have been greedy; smart, but greedy. The industry has perfected the practice of attaching questionable patents to their drugs for the purpose of preventing generic drugs' entry into the market. As a brand drug nears the end of its 20-year patent life, the company will file what they deem a "new and improved patent" on the same drug, to keep out the generic drug and to keep out competition.

A patent, for example, was filed on a pill that could be divided into three parts instead of in half, instead of in two parts. This new and improved patent pill, patented pill, that does not affect the way the pill metabolizes in the body, which is what matters, keeps the generic drug that can be divided in half off of the market. While the generic company fights this outrageous patent in court, the brand name company, the big drug company, retains its market exclusivity at the cost of tens of millions, sometimes even billions of dollars, to consumers. The drug industry manipulates the law with relative ease.

I will share another example. Neurontin is a prescription drug for seizures. Its two main patents, one on the drug's ingredients and one on the use of the drug, expired in 1994 and in 2000. Right before the second patent expired, the company listed two new patents, one of which was on an unapproved FDA use to treat Parkinson's disease.

The industry did not ask the FDA to approve the drug for use in Parkinson's patients. The industry did not do any research to assert whether the drug actually is effective in Parkinson's patients. But the drug company, the generic drug company, the competitor that forces prices down, that would compete with the name brand company, the generic drug company still had to go to court to argue that its generic drug is not intended for use for Parkinson's patients.

When the generic and the brand name company go to court, the FDA is automatically required, must be required to withhold approval of the generic for 30 months, 2½ years. After those 30 months, the industry filed a new patent, forcing the generic industry to go back to court, starting the 30-month clock over.

The two delays in the case of Neurontin, the two delays, equalling 5 years, delayed generic access to the market, delayed consumers getting the less expensive drug, delayed the marketplace competition, and it cost consumers \$1.5 million every day because of the big drug companies' greed. Industry profits continue to soar.

Now a group of large corporations, labor unions, governors from both sides

of the aisle, and consumer groups want to stop the patent abuses. Unfortunately, Republican leadership does not. All of us know that loopholes in the law are contributing to spiraling prescription drug costs and that this level of spending is unattainable.

The gentlewoman from Missouri (Mrs. EMERSON) and I have introduced legislation, H.R. 1862, to close the loopholes and to release the billions in consumer savings that are being stifled by the big name drug companies and by Republican leadership.

General Motors supports our legislation, and so do the United Auto Workers. Verizon and the other Baby Bells support our legislation, and so do the Communication Workers of America. The AARP supports it, the AFL-CIO supports it, and Governor Deane from Vermont, a Democrat, Governor Foster from Louisiana, a Republican, supports it. The only people who do not are the Republican leadership in the House.

Congress should pass this legislation and the President should sign it this year. Tens of billions of dollars, consumer dollars, are at stake.

□ 1245

#### INDOOR AIR QUALITY KIT FOR SCHOOLS

The SPEAKER pro tempore (Mr. CULBERSON). Pursuant to the order of the House of January 23, 2002, the gentleman from Florida (Mr. STEARNS) is recognized during morning hour debates for 5 minutes.

Mr. STEARNS. Mr. Speaker, I am here today to share with my colleagues that May is Asthma Awareness Month. Last Wednesday on May 1, here on Capitol Hill, we held an entire day of related activities including a hearing and free screenings. I thank my colleagues that participated and found it rewarding and informative.

Meanwhile, Asthma Awareness Day was observed nationally and many cities around the country hosted screenings and festivities to foster awareness about this startlingly increasing health condition in the United States.

As you may know, some 15 million Americans have asthma, and also 50 million suffer from allergies. The incidence of asthma is increasing at an alarming rate, doubling over the last decade and a half. Of particular concern is that the group diagnosed with the highest increase of asthma is children under five years old. I hope that we in Congress can all do our part by promoting knowledge about some simple steps that can be taken to alleviate suffering of asthma and allergy symptoms in our Nation's schools.

To begin, I would like to share what I do for my constituents in the Sixth Congressional District of Florida. In February working with a wonderfully resourceful group called the Allergy and Asthma Network Mothers of Asthmatics and the Environmental Protection Agency, I mailed this Indoor Air Quality, IAQ, Tools for

Schools Action Kits. As you can see, this is a very fine kit and has lots of wonderful things to help schools. I mailed it to all 236 schools in my district, elementary through high school, public and private. These kits provide explanations and suggestions for identifying air quality problems and suggestions for their improvements.

Now, why is indoor air quality important? This is from the EPA: "The EPA studies of human exposure to air pollutants indicate that indoor level of pollutants may be two to five times and occasionally a hundred times higher than outdoor levels." Of course, most of people spend their time indoors. So here are our school children and our teachers captive inside a building all day, charged with building the foundation for their future, the children's future, potentially trapped in a state of dusty or moldy or other respiratory discomfort.

This kit walks a school through setting up an indoor air quality program to make the school an environment of comfort and well-being for all the children and all the adults inside. Let me share the contents of this kit. To begin with there is a video tape with two short episodes. Hosts from the award winning PBS home improvement series, "This Old House," show how one school successfully implemented this kit and explains the importance of healthful indoor air quality and properly maintained school ventilation systems. They point out that many indoor air quality problems can be easily and inexpensively prevented or solved by school maintenance professionals using basic techniques outlined in this video.

Moving along, there is an IAQ coordinator guide check list and sample memos to the school, parents, contractors, and the media. There are also insightful start-up hints. To be most successful, a school would want to assemble a multidisciplinary IAQ team. This might include the school nurse, maintenance staff, teachers, food service staff, housekeeping, air conditioning and heating contractors and someone from the school district or superintendent's office. There is an IAQ problem-solving wheel. It combines identification of symptoms (blue), type, severity, and frequency and timing with environmental factors to finger through on the chart: odors, temperature or humidity problems, exhaust problems, grounds or building sources such as recent paint or pesticides, to arrive at instructions most applicable and helpful.

I am glad to report that most of the suggestions in this kit are inexpensive to implement. Often just planning and organizing can make a monumental difference to indoor air quality in our schools. Finally and encouragingly, the kit reminds the IAQ coordinator that "implementing an IAQ management program is an ongoing process and not an overnight miracle. Be patient, stay consistent, organize and never forget that you are doing something important for staff and students in your school."

Mr. Speaker, we have a responsibility to our children and their teachers with asthma who also have allergies to ensure that our schools do not worsen their condition. I am pleased that my schools have this tool at their disposal and hope that they might give me some feedback to the progress in implementing it. If any Member would like information on obtaining these kits for your district schools, please contact my staff who will be delighted to help.

Finally, I think something worth checking out, a recent book has come to my attention called "My House Is Killing Me," the home guide for families with allergies and asthma by Mr. May and Mr. Samet is available. It is chock-full of extraordinary information. This is just one of many books. Let us all resolved to help overcome indoor air quality challenges.

Mr. Speaker. I rise to share with all members that May is Asthma Awareness Month. Last Wednesday, May 1, we held an entire day of related activity, including a hearing and free screenings. We heard from physicians, a respiratory therapist, and a school nurse, all experts in diagnosing and treating asthma. We heard from a professional in air quality, from the Environmental Protection Agency, who discussed issues of air quality, dust, mold and other contributors to respiratory distress. We listened to an overseer of the States' Medicaid program to talk about drug formulary and disease management program issues with us. Most importantly, three courageous asthma sufferers came to relate their stories: two enthusiastic school children, Kyle Damitz and Allison Smith, and one hardy NFL football player, Jerome Bettis of the Pittsburgh Steelers. I think my colleagues that participated found it rewarding and informative.

As you may know, some 15 million Americans have asthma, and also 50 million suffer from allergies. The incidence of asthma is increasing at an alarming rate, doubling over the last decade and a half. Of particular concern is that the group diagnosed with the highest increase of asthma is children under five years old. I hope that we in Congress can all do our part by promoting knowledge about some simple steps that can be taken to alleviate suffering of asthma and allergy symptoms in our Nation's schools.

I myself have experienced bothersome allergy symptoms for much of my adult life, so I understand how critical it is to assess and modify, if necessary, your environment, and to have knowledgeable, reliable professionals on your healthcare team. I think many of us will agree that it can take patience, creativity, family support, and a sense of pure resolve to tackle your asthma or allergy symptoms, and find the regimen of medication, exercise, household adjustments and overall lifestyle that works for you.

One point I would like to address is how, unfortunately, occasionally works of fiction or media portray the suffering of asthma in a negative light, or a reason for exploitation of a character. For example, in the classic book "The Lord of the Flies" a boy who is overpowered by other young men is identified as asthmatic, among other traits, and is therefore thought weak. Also, in a feature movie out last year, "Pay it Forward," schoolyard bullies beat up on a child who helplessly watches his in-

haler fly from his pocket. Finally, I understand from the most recent newsletter of the patient advocacy group Allergy and Asthma Network Mothers of Asthmatics that a character in the animated movie "Jimmy Neutron, Boy Genius" is similarly exploited and mistreated by his classmates. All of us can help promote awareness and understanding of this physical ailment so as to combat any stereotyping about it. To that end, I would like to end my statement marveling at how one young asthmatic schoolboy conquered his labored breathing and went on to a wonderful role in history. I like to call this a story of "respiration inspiration." It is about a little American boy in the 1870's who had very severe asthma. Back then, there were no inhalers or other medicine as we have today. He was often sick and generally very weak as a young boy. Well, he wanted to grow up and go to Harvard University and to hunt and to be in the military and to do many great things with his life. Luckily, he had a wise doctor and loving parents, who suggested he exercise his body along with his mind. His parents installed a sort of "home gym" for him, and he devised a strenuous regimen for himself. Today, we can read in a "Sporting Calendar" preserved, that from August 21 through December 11, 1871, this young fellow competed with his brothers and make cousins in "fifteen athletic contests—running, jumping, vaulting, wrestling, and boxing—and won fourteen of them, drawing the other one." [From *The Rise of Theodore Roosevelt*, Edmund Morris, 1979.] He still suffered some asthma attacks, but less frequently, and less fearfully. This little boy grew up to become the governor of New York, and the leader of the most famous cavalry unit in the Spanish-American War, and finally, the President of the United States: Theodore Roosevelt. I think that with the attention to medical access, environment, and lifestyle that our hearing will showcase, that any of the children here with us today might follow in Teddy Roosevelt's footsteps. Let asthma slow no-one down!

#### AMERICAN HEALTH SECURITY ACT

The SPEAKER pro tempore. Pursuant to the order of the House of January 23, 2002, the gentleman from Washington (Mr. McDERMOTT) is recognized during morning hour debates for 5 minutes.

Mr. McDERMOTT. Mr. Speaker, I was sitting over in my office looking at today's calendar and could not help but get up and come over here.

In 460 B.C. the father of medicine, Hippocrates, wrote: "Healing is a matter of time but it is also sometimes a matter of opportunity."

Now, for 2,500 years we have been talking about this opportunity or in modern times access to good health care coverage in our country. For decades now we have been talking about improving access to health care coverage, yet the problem continues to grow. We argue about how best to provide the coverage; but no matter what you say, uncovered people are one of the biggest economic and human problems in our society.

Many people are locked into jobs. They would like to change jobs, but

they cannot because they cannot give up their coverage. They are there because they have to have coverage for some chronic illness. But we are on the brink of things getting exponentially worse and they can. If we have any kind of downturn in the economy we will have a worse situation.

Now, I started in 1972 as a physician advocating for a health care system that was universally available, never could be taken away, and every American would be in it no matter what their circumstances in the society. I introduced bills in the Washington State legislature and started the Washington Basic Health Plan.

When I came to Congress, I introduced the American Health Security Act in 1992. This act is the gold standard that provides universal coverage for all Americans, and it does it through a single-payer mechanism. Now the American Health Security Act offers a fair and fiscally responsible way to deliver high-quality and cost-effective health care to all Americans. It provides for a highly decentralized system that is federally financed from Washington, but state-designed; and it delivers the health care through the private health care system. It guarantees universal coverage, comprehensive benefits, costs containment, the freedom to choose your own employers, and accountability. Every citizen should be entitled to that kind of coverage in this society.

The reason I came over to talk about this is that today we are being treated to one of those events that begins the campaign season when people start putting out press releases in the form of resolutions. This one is H. Con. Res. 271, expressing the sense of the Congress that public awareness and education about the importance of health care coverage is of the utmost priority, utmost priority, and that the national importance of Health Care Coverage Month should be established to promote these goals. So we will have a whole month for people to get up here and tell you how everybody ought to have health insurance.

But the question you have to ask yourself is, Where is the proposal that would provide health care coverage for everybody? Where is it? We can put out these press releases.

This thing reminded me of the reason I came over here and I was sitting there reading this and I thought about the joke of the Methodist minister. He had gotten very ill and so the head of the board of deacons called all the deacons together one night and he called a meeting and they all got together to decide what to do about the illness of the minister. They had a long discussion. Many things were argued back and forth. And finally by a vote of six to five with 20 abstentions, they decided to write a letter to the minister urging him to get well.

Now, that is what this is. This is saying to the American people, why do you people not go out and get health

insurance? What is the matter with you? Do you not know how important that is? As though the American people were stupid or that they would not be doing it if they could.

The resolution is an indictment of itself. It says, "Whereas over 17.3 million of the uninsured are employed, but are not offered health coverage through their employers."

Now, if you are an individual in this country and you work full time and you are not offered it through your job, you are supposed to go out by yourself and find a policy. Anybody who knows anything about that kind of experience knows how ridiculous it is to say to people, you should be aware.

When are we going to take up the issue in real substance and get away from these letters to the American people to get well?

#### MAKE BUSH TAX CUT PERMANENT

The SPEAKER pro tempore. Pursuant to the order of the House of January 23, 2002, the gentleman from Illinois (Mr. WELLER) is recognized during morning hour debates for 5 minutes.

Mr. WELLER. Mr. Speaker, I come to the well today to draw attention to an issue which affects over 100 million American taxpayers. This past year because of the leadership of President Bush and the gentleman from Illinois (Mr. HASTERT) and the House Republican majorities, we were successful in enacting a tax cut which benefits and helps over 100 million taxpayers who now have lower taxes. And what we call the Bush tax cut when it was passed into law does a number of things. It lowered rates for everyone. In fact, 3.9 million families with children no longer pay Federal income tax. We have brought fairness to the Tax Code by phasing out the death tax, by eliminating and wiping out the marriage tax penalty, and also providing opportunities for taxpayers to save for retirement, a tremendous benefit for over 100 million Americans. And unfortunately, because of some of the arcane rules that we have in this Congress, that tax cut was made on a temporary basis.

It is always interesting that in this Congress under the rules that the House and Senate operate under, that spending increases and tax increases are easily made permanent; but when you want to lower taxes, you can only do it on a temporary basis, meaning that down the road that those who benefit from elimination of the marriage tax penalties or elimination of the death tax or seeing their taxes lowered because of rate reductions will have a tax increase.

In fact, when the Bush tax cut expires, it will be the biggest tax increase in our country. I want to draw attention to just one example of what the permanency of the Bush tax cut means. There are 43 million married working couples who benefit from the marriage tax relief. And I am one of those who,

like many in this House, particularly on the Republican side, who feel it is wrong that under our Tax Code that 43 million married couples paid higher taxes just because they were married prior to the Bush tax cuts. We passed legislation several times out of this House of Representatives to eliminate the marriage tax penalty, to eliminate that unfair aspect; and unfortunately, President Clinton at the time vetoed it.

But under President Bush we were successful in eliminating the marriage tax penalty, but unfortunately our efforts to wipe out the marriage tax penalty were temporary and means that if we do not make permanent the Bush tax cut, do not make permanent our efforts to eliminate the marriage tax penalty, 43 million married couples will have to pay higher taxes and will suffer once again the marriage tax penalty.

I believe, like I know many of my colleagues do, that it is just wrong that under our Tax Code that anyone should have to pay higher taxes just because they are married, because I believe, and I know Republicans believe, that we have should not punish society's most basic institution.

The marriage penalty occurred in the past because of the complications of our Tax Code. Married couples filed jointly, they combined their incomes, and it pushed them into a higher tax bracket. And they save about \$1,700 in taxes because of our marriage tax penalty relief. The bottom line is let us prevent a new marriage tax. Let us prevent an increase in taxes on married couples.

The House has passed legislation to make permanent the Bush tax cut, to make permanent our efforts to wipe out the marriage tax penalty. My hope is the entire Congress, Democrats and Republicans, will work together and pass this legislation as well. Let us make the Bush tax cut permanent. Let us benefit over 100 million taxpayers who, unless we act, will see higher taxes in just a few short years.

□ 1300

#### DOE'S LITTLE SECRET

The SPEAKER pro tempore (Mr. CULBERSON). Pursuant to the order of the House of January 23, 2002, the gentleman from Nevada (Mr. GIBBONS) is recognized during morning hour debates for 5 minutes.

Mr. GIBBONS. Mr. Speaker, we have assumed for some time that the Department of Energy has made an overwhelming effort to prove that their research on the Nation's spent nuclear fuel is based on sound science and safe for Americans. Well, Mr. Speaker, I stand before my colleagues today to ask that despite the DOE's claims that Yucca Mountain is a geologically safe place to store 77,000 tons of the Nation's nuclear waste, that we take a closer look at the truth behind these claims.

Recently, Mr. Speaker, Nevadans have become aware of some very disturbing information about these DOE claims. In its final environmental impact statement, the DOE evaluated the handling, transporting and disposition of spent nuclear fuel and high level radioactive waste to Yucca Mountain.

Although 131 sites across this country contain this nuclear waste and although the waste at these sites require individual attention due to radioactivity dangers, the Department of Energy has entirely neglected to evaluate the effect of waste transportation of at least 54 different sites. Mr. Speaker, this negligence is simply unacceptable.

In considering the dangers of hauling nuclear waste across the country, through our neighborhoods, near our schools and parks, it is obvious that the DOE should have investigated these important facilities. Most of these facilities are research reactor sites at major universities and significant commercial research and fuel fabrication plants. Shipping the high level radioactive waste from these facilities is a hazardous undertaking that cannot be ignored, and the DOE has done so.

Similar movement of research reactive fuel has been explored in the past. In just one instance, after a mandatory preparation of an extensive report, several years of analysis, and two arduous legal challenges, a shipment of foreign research reactor fuel was transported to North Carolina.

The question is, shall Americans stand by and wait for a mistake in shipping this hazardous research reactor fuel or will we demand that the DOE take into account these 54 sites before it presents our government with a proper environmental analysis?

Clearly, the Department of Energy has altogether ignored a vast and critical component of its Yucca Mountain project.

Mr. Speaker, Americans should be outraged at this negligence, and again, I ask that we take a closer look at the reports handed over to us by the DOE.

Finding a solution to our Nation's nuclear waste problem should be a process of justice, sound science and integrity, not one of carelessness and political expediency.

Mr. Speaker, the Yucca Mountain project is not an equitable solution. It is not a trustworthy solution or a suitable solution to our nuclear waste problem.

I urge all my colleagues to make a responsible decision on this potentially devastating resolution tomorrow. Vote no on the Yucca Mountain project. Vote no tomorrow on House Joint Resolution 87.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 1 o'clock and 3 minutes p.m.), the House stood in recess until 2 p.m. today.

□ 1400

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. CULBERSON) at 2 p.m.

#### PRAYER

The Reverend Emmett J. Gavin, Prior, Whitefriars Hall, Washington, D.C., offered the following prayer:

Gracious and loving God, as the world around is blossoming with new life, grant the fullness of life, hope and prosperity to all Your children throughout this troubled world. As we gather here at the seat of government of this great and blessed Nation, we are all too mindful that our world is gripped with conflict and division. We pray for peace and an end to hatred and discord in all corners of our world. Let all Your children come to know, accept and celebrate that You are a God of inclusion and compassion and acceptance. And knowing and rejoicing in that blessed assurance, let all peoples join together in a sacred commitment to peace and unity throughout our world.

We particularly pray this day for a decisive and definitive end to terrorism in all its hateful forms throughout the length and breadth of the family of nations. Transfer all Your people into agents of reconciliation and healing and help us to have the courage to use the great blessings we enjoy as a Nation to be the leaders in bringing about a more just and equitable world.

In this month of May, when we will, as a Nation, remember with gratitude and pride the men and women of our Armed Forces who have laid down their lives in defense of freedom, we pray in a special way for the safety of our military personnel throughout the world who are striving to bring an end to terrorism and injustice. We beseech You Almighty and loving God to bring them all home safely.

We thank and bless You, Lord, confident that You will hear and answer our prayers. Amen.

#### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. FROST) come forward and lead the House in the Pledge of Allegiance.

Mr. FROST led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### PRIVATE CALENDAR

The SPEAKER pro tempore. This is the day for the call of the Private Calendar. The Clerk will call the bill on the Private Calendar.

#### NANCY B. WILSON

The Clerk called the bill (H.R. 392) for the relief of Nancy B. Wilson.

Mr. WILSON of South Carolina. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

The SPEAKER pro tempore. This concludes the call of the Private Calendar.

#### RESIGNATION AS MEMBER OF COMMITTEE ON RULES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Rules:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, May 7, 2002.

Hon. J. DENNIS HASTERT,  
Speaker of the House,  
Washington, DC.

DEAR MR. SPEAKER: I hereby resign from the House Committee on Rules.

Sincerely,

TONY P. HALL,  
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

#### RESIGNATION AS MEMBER OF COMMITTEE ON RESOURCES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Resources:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, May 7, 2002.

Hon. DENNIS HASTERT,  
Speaker of the House, U.S. Capitol Building,  
House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I hereby resign from the House Committee on Resources.

Sincerely,

JAMES P. MCGOVERN,  
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted. There was no objection.

#### RESIGNATION AS MEMBER OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Transportation and Infrastructure:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, May 7, 2002.

Hon. DENNIS HASTERT,  
Speaker of the House, U.S. Capitol Building,  
House of Representatives, Washington, DC.

DEAR MR. SPEAKER: I hereby resign from  
the House Committee on Transportation and  
Infrastructure.

Sincerely,

JAMES P. MCGOVERN,  
Member of Congress.

The SPEAKER pro tempore. Without  
objection, the resignation is accepted.  
There was no objection.

#### ELECTION OF MEMBER TO COMMITTEE ON RULES

Mr. FROST. Mr. Speaker, I offer a  
resolution (H. Res. 413), and I ask unan-  
imous consent for its immediate con-  
sideration in the House.

The SPEAKER pro tempore. The  
Clerk will report the resolution.

The Clerk read as follows:

H. RES. 413

*Resolved*, That the following named Mem-  
ber be, and is hereby, elected to the fol-  
lowing standing committee of the House of  
Representatives:

Committee on Rules: Mr. MCGOVERN of  
Massachusetts to rank immediately after  
Mrs. SLAUGHTER of New York.

The SPEAKER pro tempore. Is there  
objection to the request of the gen-  
tleman from Texas?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on  
the table.

#### SHEIK AL-BURAIK IS NO FRIEND

(Mr. PITTS asked and was given per-  
mission to address the House for 1  
minute and to revise and extend his re-  
marks.)

Mr. PITTS. Mr. Speaker, when Saudi  
Crown Prince Abdullah visited the  
President in Texas recently, he  
brought a prominent government cleric  
named Sheik Saad Al-Buraik with him  
in his entourage.

I would like to share with the House  
of Representatives some of the state-  
ments Sheik Al-Buraik has said about  
America. He says, "I am against Amer-  
ica until this life ends, until the day of  
judgment. I am against America even  
if the stone liquefies. She is the root of  
all evils and wickedness on earth."

And what does the Sheik have to say  
about Jews and Christians? He says,  
"Don't take the Jews and Christians as  
allies. Do not have any mercy, neither  
compassion on the Jews, their blood,  
their money, or their flesh."

Mr. Speaker, most shocking of all is  
what he has to say about Jewish  
women. He says to the Palestinians,  
"Jewish women are yours to take, le-  
gitimately. God made them yours. Why  
don't you enslave their women? Why  
don't you wage jihad? Why don't you  
pillage them?"

Sheik Al-Buraik recently hosted a 2-  
day telethon in Saudi Arabia that  
raised over \$100 million to reward the

families of Palestinian homicide bomb-  
ers.

Mr. Speaker, Prince Abdullah says he  
wants to be part of the peace process.  
Well, we will be ready to listen when he  
dumps Sheik Al-Buraik from his list of  
friends and advisors.

#### ANTIBIOTIC DRUGS ARE BEING OVERUSED

(Mr. BROWN of Ohio asked and was  
given permission to address the House  
for 1 minute and to revise and extend  
his remarks.)

Mr. BROWN of Ohio. Mr. Speaker,  
antibiotic drugs have revolutionized  
human and veterinary medicines. Many  
diseases and infections, tuberculosis,  
pneumonia, typhoid, cholera, which  
were once difficult to treat, and often  
lethal, have been made readily curable  
by antibiotic drugs.

But unfortunately, when bacteria are  
exposed to antibiotics, resistant  
strains emerge, posing a renewed  
threat to human health. This phe-  
nomenon makes it more difficult and  
vastly more expensive to treat some in-  
fections.

We all know that the inappropriate  
use of antibiotics in human medicine  
has contributed to this problem. And  
mounting scientific evidence also  
shows that the routine feeding of anti-  
biotics to healthy farm animals, non-  
therapeutic use, promotes the develop-  
ment of antibiotic-resistant bacteria  
that can then be communicated to peo-  
ple.

In recent years, the list of simple  
bacterial infections that are strongly  
resistant to several classes of anti-  
biotics has grown dramatically. Each  
day that we fail to act, antibiotic re-  
sistance grows, the long-term useful-  
ness of our antibiotics are undermined.

Mr. Speaker, I urge Members to sup-  
port H.R. 1771 and H.R. 3804 to address  
the misuse and overuse of antibiotics  
in human and animal medicine.

#### STOP YUCCA MOUNTAIN

(Mr. GIBBONS asked and was given  
permission to address the House for 1  
minute and to revise and extend his re-  
marks.)

Mr. GIBBONS. Mr. Speaker, the issue  
of Yucca Mountain is safety. H.G.  
Wells once said that human history be-  
comes more and more a race between  
education and catastrophe. Mr. Speak-  
er, nothing in the history of mankind  
has withstood the test of 10,000 years.

What was the state-of-the-art tech-  
nology and engineered as safe as late as  
1970, has proven today 30 years later,  
not to be a safe solution. Let us not  
allow short-term safety issues to be-  
come serious long-term problems hun-  
dreds of years from now.

The Department of Energy cannot as-  
sure the safety and suitability of Yucca  
Mountain, not even 10 years from now;  
and that is why they have turned to  
basing their proposal on engineered  
barriers, instead of suitability of the

site. Yucca Mountain will not solve our  
nuclear waste problem; it just creates  
one additional, yet unsuitable, reposi-  
tory. And our current sites will only  
have 9 percent less waste than they do  
today.

Mr. Speaker, I urge Members to work  
toward a real solution based on 21st  
century technology, and reject H.J.  
Res. 87 tomorrow.

#### NATIONAL SMALL BUSINESS WEEK

(Mr. DAVIS of Illinois asked and was  
given permission to address the House  
for 1 minute and to revise and extend  
his remarks.)

Mr. DAVIS of Illinois. Mr. Speaker,  
for the past 39 years, the President of  
the United States has issued a procla-  
mation calling for the celebration of  
Small Business Week. I rise to draw at-  
tention to that designation and to that  
celebration. This celebration honors  
the estimated 25 million small busi-  
nesses in America that create three out  
of every four jobs and generate the vast  
majority of business innovations.

Small businesses account for 99.7 per-  
cent of America's employees. I think it  
is time that we pay tribute, honor, ac-  
knowledge the great work that they  
do, and urge all Americans to shop at a  
small business, take care of small busi-  
nesses.

#### WELFARE REFORM WORKS

(Mr. WILSON of South Carolina  
asked and was given permission to ad-  
dress the House for 1 minute and to re-  
vise and extend his remarks.)

Mr. WILSON of South Carolina. Mr.  
Speaker, I am pleased to say that wel-  
fare reform works. Yes, welfare reform  
works. The monumental reform that  
this Republican House achieved in 1996  
allows families to defeat poverty and  
regain their independence.

However, it is time to continue the  
good work from 1996. I voted last week  
for the Working Toward Independence  
Act approved by the Committee on  
Education and the Workforce, and we  
need to continue to support measures  
that promote healthy, two-parent fami-  
lies, and oppose provisions that penal-  
ize married couples.

President Bush has set an aggressive  
agenda for keeping families together,  
and this House has a chance to solidify  
this effort through the Republican bill  
for reauthorization.

The 2.3 million families who have  
used the reforms to become self-sup-  
porting deserve this reform. The count-  
less numbers of families who are still  
working to achieve independence need  
this reform. Why do we need this re-  
form? Because welfare reform works.

#### PICTURE THEM HOME

(Mr. LAMPSON asked and was given  
permission to address the House for 1  
minute and to revise and extend his re-  
marks.)



Mr. LAMPSON. Mr. Speaker, I am going to divert today from my normal story about Ludwig Koonz and my request to have him returned from Italy to his father here in the United States, to talk about and to ask Members to participate this month in the Picture Them Home campaign.

Nearly 2,000 children are reported missing every day in this Nation. The Picture Them Home campaign is an annual effort to encourage the public to really look at pictures of missing children and report what they know to the authorities. One in six missing children is recovered as a result, and it is vital that we take the pledge to Picture Them Home.

Mr. Speaker, there are a number of simple ways that Americans can get involved and help take a stand against child abduction and victimization, making America safer for our constituents. A packet on the Picture Them Home campaign will be delivered to Members' offices this week. I encourage Members and their staff to look at it and to work on the simple efforts that it will detail within that packet. If we all do our part, together we can renew interest in the cases of missing children that remain unsolved, and help more families bring their children home.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair announces that he will postpone further proceedings today on each motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote is objected to under clause 6 of rule XX.

Any record votes on postponed questions will be taken after debate has concluded on all motions to suspend the rules, but not before 6:30 p.m. today.

#### CLARENCE B. CRAFT POST OFFICE BUILDING

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4486) to designate the facility of the United States Postal Service located at 1590 East Joyce Boulevard in Fayetteville, Arkansas, as the "Clarence B. Craft Post Office Building."

The Clerk read as follows:

H.R. 4486

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. CLARENCE B. CRAFT POST OFFICE BUILDING.

(a) DESIGNATION.—The facility of the United States Postal Service located at 1590 East Joyce Boulevard in Fayetteville, Arkansas, shall be known and designated as the "Clarence B. Craft Post Office Building".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be deemed to

be a reference to the Clarence B. Craft Post Office Building.

The SPEAKER pro tempore. Pursuant to the rule, the gentlewoman from Virginia (Mrs. JO ANN DAVIS) and the gentleman from Illinois (Mr. DAVIS) each will control 20 minutes.

The Chair recognizes the gentlewoman from Virginia (Mrs. JO ANN DAVIS).

#### GENERAL LEAVE

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on H.R. 4486.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from Virginia?

There was no objection.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4486, introduced by the gentleman from Arkansas (Mr. BOOZMAN) designates the facility of the United States Postal Service located in Fayetteville, Arkansas, as the "Clarence B. Craft Post Office Building." Members of the entire House delegation from the State of Arkansas are cosponsors of this legislation.

Mr. Speaker, an American hero passed away on Thursday, March 28, in Fayetteville, Arkansas. Private First Class Clarence Craft received the Congressional Medal of Honor from President Harry Truman for his faithful and courageous service to this country during World War II. He was 80 years old.

□ 1415

Mr. Craft went on to become a regular volunteer at the local VA hospital in Fayetteville where he logged more than 9,300 hours helping fellow veterans. He also was a dedicated member of Fayetteville American Legion Post 27 where he was an active member for over 56 years.

Though we may honor Private Craft for his storied military career, Mr. Craft preferred to talk about his family whom he so dearly loved. Mr. Craft will be missed by all who knew him; and every American owes a debt of gratitude to him for his valiant service to this country.

Mr. Speaker, I urge the adoption of H.R. 4486.

Mr. Speaker, I reserve the balance of my time.

Mr. DAVIS of Illinois. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, as a member of the House Committee on Government Reform, I rise in support of H.R. 4486, legislation naming a postal facility after Clarence B. Craft. H.R. 4486, introduced by the gentleman from Arkansas (Mr. BOOZMAN) on April 18, 2002, is supported and cosponsored by the entire Arkansas State congressional delegation.

The obituary in the Morning News said that Clarence B. Craft was born on September 23, 1921, in San Bernardino, California, and died on March 28, 2002,

in Fayetteville, Arkansas. It reported that he was retired from construction and that he was a recipient of the Medal of Honor. Indeed, Clarence B. Craft's life was distinguished by true heroism and service to his country, both during World War II and afterwards.

According to the citation accompanying Clarence Craft's Medal of Honor, on May 31, 1945, as a private first class in the U.S. Army, he, and I quote, "was a rifleman when his platoon spearheaded an attack on Hen Hill, the tactical position on which the line of enemy defense on Okinawa was hinged. For 12 days our forces had been installed and repeated heavy assaults had been thrown back by the enemy with serious casualties. Against odds that appeared suicidal, Private First Class Craft launched a remarkable one-man attack. He stood up in full view of the enemy and began shooting with deadly marksmanship whenever he saw hostile movement. Private First Class Craft killed at least 25 of the enemy. But his contribution to the campaign on Okinawa was of much more far-reaching consequence, for Hen Hill was the key to the entire defense line which rapidly crumbled after his utterly fearless and heroic attack."

Yet despite this display of heroism, Clarence Craft never thought of himself as a hero. He would often tell people that he did not do anything that any other GI would not do in my spot.

Clarence Craft's service did not end in World War II. According to the obituary that appeared in the Northwest Arkansas Times, he spent the last 25 years of his life in Arkansas, where he served others through volunteerism at the Veterans Affairs Medical Center and National Cemetery. There is a Clarence B. Craft primary care center on the hospital grounds. In addition, Mr. Craft was recognized for his almost 9,000 hours of service between 1992 and 2000 with a volunteer service award from the Veterans Affairs Office. United States Senator BLANCHE LINCOLN observed that "Clarence Craft's continued commitment to his country and his community was impressive. Even after he retired, he went on to donate thousands of hours to helping fellow veterans. That is a tremendous example of selflessness above and beyond his heroism fighting for our country."

Mr. Speaker, Clarence Craft was the epitome of what a good citizen should be, a man who served his country through heroic deeds in war and dedicated volunteerism in peace. By naming the post office at 1590 East Joyce Boulevard in Fayetteville, Arkansas, for him, we will be remembering a true American hero and a great citizen.

Mr. Speaker, I reserve the balance of my time.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I am pleased to yield such time as he may consume to the distinguished gentleman from Arkansas (Mr. BOOZMAN), the sponsor of this legislation.

Mr. BOOZMAN. Mr. Speaker, I thank the gentlewoman from Virginia for yielding me the time.

Mr. Speaker, H.R. 4486, which I introduced, will name the post office on East Joyce Avenue in Fayetteville, Arkansas after a great American hero, Clarence Craft. I introduced this legislation with all of my colleagues from the Arkansas delegation and I would like to thank the gentleman from Arkansas (Mr. SNYDER), the gentleman from Arkansas (Mr. BERRY), and the gentleman from Arkansas (Mr. ROSS) for their support.

Private First Class Craft received the Congressional Medal of Honor for his actions in World War II during the battle of Hen Hill. He led his battalion to breach enemy defenses on May 31, 1945. Craft was a rifleman with Company G, 382nd Infantry, 96th Infantry Division.

Craft, along with five fellow soldiers, was dispatched to the hill to feel out enemy resistance. The group had proceeded only a short distance up the slope when rifle, machine gun fire and a barrage of grenades wounded three and pinned down the others. Against odds that appeared suicidal, Craft stood up in full view of the enemy, and, according to his citation, began shooting with deadly marksmanship wherever he saw hostile movement. He steadily advanced up the hill, killing Japanese soldiers with rapid fire and driving others to run for cover. When Craft reached the crest of the hill, he threw grenades at extremely short ranges into the enemy positions. His assault lifted the pressure from his company for the moment, allowing members of his platoon to comply with his motions to advance up the hill and eventually overtake the Japanese. When the fighting was over, it is estimated that Craft killed at least 25 of the enemy, but reports say his contribution to the campaign on Okinawa was much greater. Hen Hill was the key to the entire defense line, which rapidly crumbled after his utterly fearless and heroic attack.

Mr. Craft went on to serve a second tour in Korea after his heroics at Hen Hill. Then after retirement Craft continued serving his country by volunteering at the Fayetteville VA Hospital. He logged over 9,300 hours in only 10 years helping fellow veterans who were hospitalized. It is not only the veterans in the hospitals who remember Mr. Craft but the staff also benefited from his service as it is reported that his smile, his jokes and his pleasant, humble demeanor put all immediately at ease and made everyone's time at the hospital more agreeable. Craft also spent many years serving in the Fayetteville American Legion Post 27, where he had been an active member for almost 56 years.

Mr. Craft was a loved and valued member of the Fayetteville, Arkansas community. It is important that we never forget the contributions that Mr. Craft made, not only to America but to Fayetteville and to the State of Arkansas.

By naming the post office on East Joyce Avenue after Mr. Craft, we are ensuring that not only will his legacy continue but that his name will live on for future generations.

Mr. DAVIS of Illinois. Mr. Speaker, it is my pleasure to yield such time as he may consume to the distinguished gentleman from Arkansas (Mr. SNYDER).

Mr. SNYDER. Mr. Speaker, we hear these stories and we read the stories of these men, men like Clarence Craft, and they seem like movies. They seem like fiction. But Mr. Craft was a real person, he was a humble person, and the story was real. It was my pleasure to have met him and talked with him some years ago. Time goes by and each year we lose more of our World War II veterans, we lose more of our Korean War veterans, but we must remember the stories, stories like Mr. Craft's. We must remember the history. We must remember the sacrifice. The naming of this facility will perpetuate his memory but it will also perpetuate the memory of the sacrifice of all of our veterans of World War II and of the many wars that they have served in.

Congratulations today to the gentleman from Arkansas (Mr. BOOZMAN) and to Mr. Craft and his family.

Mr. DAVIS of Illinois. Mr. Speaker, I have no further requests for time, and I yield back the balance of my time.

Mrs. JO ANN DAVIS of Virginia. Mr. Speaker, I yield myself such time as I may consume.

I urge my colleagues to adopt this measure to honor what we have heard today to be a great American hero and a true patriot.

Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentlewoman from Virginia (Mrs. JO ANN DAVIS) that the House suspend the rules and pass the bill, H.R. 4486.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### RICHARD S. ARNOLD UNITED STATES COURTHOUSE

Mr. BOOZMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4028) to designate the United States courthouse located at 600 West Capitol Avenue in Little Rock, Arkansas, as the "Richard S. Arnold United States Courthouse."

The Clerk read as follows:

H.R. 4028

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. DESIGNATION OF RICHARD S. ARNOLD UNITED STATES COURTHOUSE.

The United States courthouse located at 600 West Capitol Avenue in Little Rock, Arkansas,

and any addition to the courthouse that may hereafter be constructed, shall be known and designated as the "Richard S. Arnold United States Courthouse".

#### SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the Richard S. Arnold United States Courthouse.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. BOOZMAN) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas (Mr. BOOZMAN).

Mr. BOOZMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4028, which I introduced, would designate the courthouse located at 600 West Capitol Avenue in Little Rock, Arkansas, as the Richard S. Arnold United States Courthouse. I introduced this legislation along with my colleagues, the gentleman from Arkansas (Mr. SNYDER), the gentleman from Arkansas (Mr. BERRY), and the gentleman from Arkansas (Mr. ROSS). I would like to thank them for their support of this measure.

Mr. Speaker, Judge Richard Arnold was born on March 26, 1936, in Texarkana, Arkansas. He graduated from the Phillips Exeter Academy in 1953 before attending Yale University where he majored in Latin and Greek. Judge Arnold graduated from Yale University in 1957 with his B.A. and went on to attend Harvard Law School. He received his LL.B. from Harvard magna cum laude in 1960.

Judge Arnold's distinguished legal career began in 1960 when he served as a law clerk for Supreme Court Justice William J. Brennan, Jr. He went into private practice in 1961 in Washington while teaching part-time at the University of Virginia Law School. In 1964 he returned to Texarkana and was a partner at the law firm Arnold and Arnold. For a year he served as legislative secretary to Governor Dale Bumpers of Arkansas, and from 1974 until 1978 he served as legislative assistant to the newly elected U.S. Senator Dale Bumpers.

In October 1978, President Carter appointed Richard Arnold to the district bench for the Eastern and Western Districts of Arkansas. In 1980, Judge Arnold was elevated to the U.S. Court of Appeals for the Eighth Circuit. He served as Chief Justice for the Eighth Circuit from 1992 until 1998. In April 2001, Judge Arnold took senior status.

Mr. Speaker, I have reviewed Judge Arnold's formal resume and a collection of tributes about his judicial service. The list of his awards, honors and publications is over five pages long. Even on paper it is very apparent that Judge Arnold is a reputable jurist and dedicated public servant. Judge Arnold has devoted his life to justice and the rule of law. I am very pleased that we are able to honor him for his distinguished career and years of service to



our country and Federal judiciary system.

I thank my colleagues for their support of this bill.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

H.R. 4028 is a bill to designate the courthouse located at 600 West Capitol Avenue in Little Rock, Arkansas as the Richard S. Arnold United States Courthouse.

Judge Arnold's career in public service spans over four decades. He was born in Texas and educated in New England. Richard Arnold attended high school at Phillips Exeter Academy, undergraduate studies at Yale, and law school at Harvard. He was a superior student and scholar. While at Yale he was elected to Phi Beta Kappa, and was president of the Yale Debating Society. Harvard Law School awarded him the Sears Prize for the best grades, and the Fay Diploma for graduating first in his class. He clerked for Justice William Brennan and worked for our former colleague, Dale Bumpers, when Bumpers was governor and U.S. Senator.

Judge Arnold's resume is filled with awards and honors, including receiving honorary law degrees from the University of Arkansas and the University of Richmond. He was the Madison lecturer at New York University Law School in 1996.

□ 1430

In 1999 he received the Meador-Rosenberg Award given by the American Bar Association.

Judge Arnold is a prolific writer. His publications are included in the Harvard Law Review, Yale Law Journal, Arkansas Law Review, Washington University Law Quarterly, St. Louis University Law Journal, and the New York University Law Review.

President Carter appointed Judge Arnold to the Federal bench in 1978 and 2 years later he rose to the Court of Appeals for the Eighth Circuit.

Judge Arnold is beloved, respected, and honored by his colleagues and friends. He is a brilliant jurist and his legal opinions are noted for their clarity of thought and expression. He is known for his unfailing courtesy, charity, and good cheer.

It is most fitting that we honor the outstanding career and public service of Judge Richard Arnold with this designation.

Ms. NORTON. Mr. Speaker, I yield such time as he may consume to the gentleman from Arkansas (Mr. SNYDER).

Mr. SNYDER. Mr. Speaker, it is my pleasure and honor to know Richard Arnold and I consider him to be a friend. The Arkansas delegation is united in their support for this measure, but his colleagues on the Federal bench are also united in their respect for his accomplishments and for him as a person.

I wanted to add on one biographical detail to the life of Richard Arnold.

Twice he was a candidate for Congress in the Democratic primary, and twice he lost. Somehow he managed to overcome this loss and go on to great things in life, despite not being a Member of this House. Of course, many would say that the voters made a right choice to send Richard Arnold to the Federal bench, because that is where he ended up.

Judge Arnold is a great man, with a great wife, Kay, and a wonderful family. His brother also serves on the Eighth Circuit Court of Appeals, and the Arkansas delegation takes great pride today in sponsoring this bill led by the gentleman from Arkansas (Mr. BOOZMAN).

Ms. NORTON. Mr. Speaker, I have no more requests for time, and I yield back the balance of my time.

Mr. BOOZMAN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentleman from Arkansas (Mr. BOOZMAN) that the House suspend the rules and pass the bill, H.R. 4028.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### ALFONSE M. D'AMATO UNITED STATES COURTHOUSE

Mr. BOOZMAN. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 4006) to designate the United States courthouse located at 100 Federal Plaza in Central Islip, New York, as the "Alfonse M. D'Amato United States Courthouse."

The Clerk read as follows:

H.R. 4006

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. DESIGNATION.

The United States courthouse located at 100 Federal Plaza in Central Islip, New York, shall be known and designated as the "Alfonse M. D'Amato United States Courthouse".

#### SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the United States courthouse referred to in section 1 shall be deemed to be a reference to the "Alfonse M. D'Amato United States Courthouse".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. BOOZMAN) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas (Mr. BOOZMAN).

Mr. BOOZMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4006 designates the United States courthouse located at 100 Federal Plaza in Central Islip, New York, as the Alfonse M. D'Amato United States Courthouse.

Al D'Amato was born in Brooklyn, New York on August 1, 1937 and he has retained those New York roots ever since. A graduate of Chaminade High School on Long Island, Senator D'Amato worked his way through Syracuse University, earning an undergraduate degree in business administration in 1959 and a law degree in 1962. Also, in 1962, Senator D'Amato was admitted to the practice of law in the State of New York.

Throughout his adult life, Senator D'Amato has dedicated himself to public service. He served as Administrator of Nassau County, New York from 1965 until 1968; Tax Assessor for Hempstead, New York in 1969; Town Supervisor of Hempstead, New York from 1971 until 1977; and as Chairman of the Nassau County Board of Supervisors from 1977 until his election to the United States Senate in 1980.

During his 18-year tenure in the United States Senate, Al D'Amato supported middle class tax cuts, small business loans, increased trade, and free and open markets for U.S. products abroad. As chairman of the Senate Banking and Housing Committee, Senator D'Amato was a leading advocate of legislation that would channel private sector funds into inner cities and other economically distressed areas. The Senator also realized the importance of investing America's assets by supporting sound transportation policy and the creation of infrastructure not only for New York, but also for the Nation.

Mr. Speaker, this naming is a fitting tribute to a dedicated public servant. I support this legislation, and I encourage my colleagues to do the same.

Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, H.R. 4006 is a bill to designate the new Federal courthouse in Central Islip, New York in honor of former Senator Alfonse D'Amato. Alfonse D'Amato was born in Brooklyn, New York in 1937. He graduated from Syracuse University and Syracuse Law School in 1961 and 1962 and was admitted to the New York Bar. From 1965 to 1968, he served the public as the Public Administrator in Nassau County. His public service also included positions as Town Supervisor, Tax Assessor, and the Nassau County Board of Supervisors. In 1980, he was elected to the United States Senate and served until 1998.

While in the Senate, Senator D'Amato was a tireless advocate for New York and the State's vital interests. He championed inner city economic redevelopment, transit funding, and small business programs. As a member of the Senate Finance Committee, he worked on tax relief initiatives for working and middle class families. He also championed the fight to restore assets from Swiss banks to Holocaust survivors and victim heirs.

It is fitting and proper to honor this public servant with this designation.

Mr. Speaker, I reserve the balance of my time.

Mr. BOOZMAN. Mr. Speaker, I yield such time as he may consume to the gentleman from New York (Mr. KING).

Mr. KING. Mr. Speaker, I thank the gentleman for yielding me this time.

I am proud to stand here today as the sponsor of this legislation to name the Federal courthouse in Suffolk County, New York in honor of Alfonse D'Amato.

The gentleman from Arkansas and the gentlewoman from the District of Columbia have detailed the specific accomplishments of Senator D'Amato from his days in Nassau County, in the town of Hempstead, to his 3 terms in the United States Senate culminating, of course, in his service as chairman of the Senate Banking Committee. But Senator D'Amato was much more than that. Senator D'Amato was the quintessential New Yorker.

I had the privilege of knowing Al D'Amato and still knowing him for more than 30 years. During that time I also had the privilege of serving with him on the Hempstead Town Board when I was a Hempstead Councilman and he was the presiding Supervisor, and then during my first 6 years in the United States Congress that overlapped with Senator D'Amato's time in the United States Senate.

I never knew a tougher advocate for the people of New York. I never knew a person who was more loyal to his friends. I never knew a man who was more willing to stand up and do what was right than Senator D'Amato.

I think what was very interesting to me when I was going around trying to get cosponsors for this bill, it was probably the easiest job I ever had, not just Republicans, but from Democrats as well. We have 30 Members of the New York delegation that have signed on to this bill. The reason for that is that they know that whether one is Republican or Democrat, Senator D'Amato would fight for you and your behalf if what you were doing was right and if your constituents needed it. That to me is the real measure of the man, a man who is willing to cross party lines and do whatever has to be done to get the job done.

It is interesting, for instance, that some of Senator D'Amato's closest friends and allies were members of the Democratic Party. Mayor Ed Koch of New York is a close personal friend and colleague of Senator D'Amato. Senator Pat Moynihan, who was Senator D'Amato's colleague in the Senate, is also a very close friend and a colleague and an advocate for Senator D'Amato.

But the reality is that Senator D'Amato also had enemies, and you never know when those enemies are going to come out from the woodwork or out from under their rocks, but the reality is that they could never face up to the fact that Senator D'Amato did not fit their image of what a United States Senator should be. Senator D'Amato was a tough kid from the

neighborhood who fought his way up, who was not willing to defer to his elders if that meant sacrificing the good for the common man. He fought hard for what he believed in and, in doing that, he broke some china, he crashed some furniture, but the bottom line was he got the job done.

To me it is interesting to see how Senator D'Amato's enemies react against him when I see the way he reacted against his political opponents. For instance, when Senator D'Amato lost his election to Senator SCHUMER in 1998, I was actually with Senator D'Amato the night he lost. I can tell my colleagues that from that night until today, Senator D'Amato has had nothing but the highest praise for Senator SCHUMER. He never complained about the campaign, he never begrudged Senator SCHUMER his victory, and he works with Senator SCHUMER and Senator CLINTON today doing what he can to help them do their job, to serve the people of New York.

That really was to me the essence of Senator D'Amato, fighting for New York, putting partisanship aside, and doing what was right.

I guess the best way to describe it is that like Frank Sinatra, Al D'Amato did it his way. It was not always the way that appealed to the elite or it was not always the way that appealed to the intelligentsia, but it was the way that it appealed to real people, real people who knew what he stood for, knew he stood for them, and knew that he always, always put the people of the State of New York first.

So I am privileged to stand here today as an advocate for Senator D'Amato as he was an advocate for so many millions of millions of people during his years in public life.

Mr. Speaker, I urge the adoption of this resolution.

Ms. NORTON. Mr. Speaker, it is a great pleasure to yield such time as he may consume to the gentleman from New York (Mr. LAFALCE).

(Mr. LAFALCE asked and was given permission to revise and extend his remarks.)

Mr. LAFALCE. Mr. Speaker, I thank the gentlewoman for yielding me this time.

Mr. Speaker, I rise in strong support of H.R. 4006, a bill to designate the courthouse in Central Islip, New York as the Alfonse M. D'Amato United States Courthouse.

As a New Yorker, a former colleague, and a good friend of Al D'Amato's, I am very proud to be a cosponsor of this bipartisan bill and to join with the gentleman from New York (Mr. KING) and with so many of my colleagues in the New York delegation in honoring him for his many contributions to both our State and our Nation.

It is a fitting tribute to Al D'Amato to name a courthouse in his native Long Island after him. Senator D'Amato was known as a fighter for the great State of New York. Some called him "Battling Al"; others called

him "Senator Pothole." Al D'Amato always wore such monikers proudly, as badges of honor, and he deserved them, in the best sense in which they were meant. His top priority was always to bring to New York the public services and funding it needed, and no one was more effective.

Throughout his career in public service, Al D'Amato fought for economic and social justice, to help the little guy, the underdog, and to fight for unpopular causes, often against long odds and powerful forces, and sometimes within his own party.

For example, he was an early proponent of Federal funding of breast cancer research. As Senator Pothole, he was relentless in assuring that New York received a fair share of the Federal dollar for New York's vast housing transportation and community development needs. As a longtime member of the Helsinki Commission, he fought against religious persecution, here and abroad. He was outspoken against discrimination based on sexual orientation in the military. These positions were not always popular, but Al D'Amato was not one to run away from a fight. To the contrary, he was one who ran head-first into fights. The Alfonse D'Amato United States Courthouse will serve as a testimonial to his commitment and a tribute to his remarkable record of accomplishments.

He was also a New Yorker in every respect. He shared not only with me, but with so many New Yorkers across the State, values and views that transcended political parties, that transcended religious or ethnic origins. His identification with and enthusiasm for worthy causes and his penchant for representing the little guy and the underdog, the taxpayer, the aging and infirm holocaust survivor, the consumer, the elderly enabled him to get elected and reelected statewide as a Republican in an overwhelmingly Democratic State.

I know firsthand about Al D'Amato's energetic style and his pragmatic approach to solving public sector problems in a political arena. Because of my own long tenure on the House Committee on Financial Services, and formerly the Committee on Banking and Financial Services, I was privileged to work very closely with him, especially from the time of his appointment to the Senate Committee on Banking, Housing and Urban Affairs where he eventually rose to become ranking member in 1993 and then chairman in 1994, until his term ended in 1998. So I can speak with personal experience of his accomplishments, and with great pride in the fact that in so many of these worthy causes, we fought side by side.

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Let me select just a few causes and accomplishments from his long and successful career to demonstrate why Senator D'Amato deserves the honor that will be bestowed upon him with the enactment of this bill:

Counterterrorism. As chairman of the Committee on Security and Cooperation in Europe, Senator D'Amato authored the Libya Sanctions Act, to combat efforts by renegade nations to finance international terrorism through oil field development.

Consumer protection. Throughout his tenure, Al D'Amato worked diligently to protect consumers. He deserves particular credit for his efforts in passing the Home Ownership and Equity Protection Act of 1993, which is the foundation of our ongoing effort to curtail and outlaw predatory lending practices. In addition, he used his chairmanship in an ultimately unsuccessful effort to stop banks from charging consumers for use of automated teller machines. But his resolve certainly caused banks to restrain the high fees and charges that had become all too prevalent in the marketplace.

Of course, he was the principal force in the Senate behind passage of a law to allow consumers to cancel unnecessary and costly private mortgage insurance.

Holocaust survivors. As chairman of the Senate Banking Committee, Al courageously led the fight to restore to Holocaust survivors and their heirs the assets they deposited in Swiss banks prior to World War II, eventually resulting in the payment of over \$1 billion in restitution to survivors' groups.

Solvency of Federal deposit insurance funds. As Committee on Banking and Financial Services chairman, Al spearheaded the successful effort in 1995 to stabilize the Federal deposit insurance funds, the BIF and the SAIF, at no cost to the Federal taxpayer, in the final chapter of the huge savings and loan scandal. I was proud to have worked with him in the House on this important effort.

Financial modernization. From his very first years in the Senate, Senator D'Amato was interested in modernizing the laws governing the various financial industries, from banks to credit unions. He was an early advocate for interstate banking, and for his entire career fought for the repeal of older laws which impeded competition and innovation by financial service providers.

He worked tirelessly to ensure the safety and soundness of all financial intermediaries, and to protect the Federal taxpayer against a repeat of the savings and loan bailout of the late 1980s, which cost taxpayers over \$100 billion.

Mr. Speaker, during his service to New York and to the United States, Senator D'Amato was an important and influential figure. His achievements can justly be said to reach around the globe, to extend from past generations to reach well into the future.

While he has now left public service, his indelible imprint will be felt for some time. By placing his name on this important courthouse, a uniquely American symbol of justice and fair-

ness, the House tonight can acknowledge the significant and important contributions Senator D'Amato has made to our State and our country.

I urge the passage of H.R. 4006.

Mr. BOOZMAN. Mr. Speaker, I reserve the balance of my time.

Ms. NORTON. Mr. Speaker, I yield 2 minutes to the gentlewoman from New York (Mrs. MCCARTHY).

Mrs. MCCARTHY of New York. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, I rise in strong support of this legislation that recognizes the years of public service by former New York Senator Al D'Amato.

As a freshman in Congress, I looked to many of my colleagues for advice and guidance when it came to legislating. Senator D'Amato was an invaluable source of knowledge that I relied upon whenever a question or concern arose, by the way, which was quite often in my first 2 years.

Senator D'Amato was able to work with Democrats and Republicans alike, which allowed him to pass legislation beneficial not only to New York, but to the country as a whole.

One of the things about Senator D'Amato, he did work with both sides of the aisle to get something done. I think that is important. We sometimes lose that here. I experienced this firsthand when we worked together on legislation addressing the alarming number of breast cancer cases on Long Island. I was amazed over his ability to obtain so much attention and exposure to a problem that impacts thousands of women across the country. His support for a particular cause went beyond a one-time press conference or a photo opportunity; it was genuine.

In a town where one is known for one's word, we always knew where we stood with Senator D'Amato. His vigorous support for legislation was equaled only to his rigorous opposition, which was always expressed in a proud New York fashion.

Although Senator D'Amato no longer walks the halls of the Senate, he continues to draw attention to problems confronting this country. Renaming a courthouse in his honor is a fitting tribute to someone who served New York as a public servant in the United States Congress for 18 years. I urge my colleagues to support this legislation.

Again, I will stress, Senator Al D'Amato was a man of his word. I think that is important. When one gives one's word and stays with it, I think that is truly a real tribute to someone.

Ms. NORTON. Mr. Speaker, I yield 2 minutes to the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Mr. Speaker, I thank the gentlewoman for yielding time to me.

Mr. Speaker, I did not know this resolution or this bill was on the floor, but the gentleman from New York (Mr. LAFALCE) mentioned the Helsinki Commission. I had the opportunity to co-

chair the Helsinki Commission. I chaired the House side while Senator D'Amato chaired the Senate side of the Helsinki Commission for a number of years.

I rise simply to observe that Al D'Amato was, of course, a vigorous partisan and proponent of his party, but at the same time, he was a supporter of making sure that we did the business in the Senate and the House in a way that did credit to America and to its principles.

I say that because he was the Chair of the Helsinki Commission when the Senate was taken over by the Republicans in the 1980s; specifically, in 1985 and 1986. There was a real effort, frankly, to change a nonpartisan professional staff to a staff that reflected party affiliation more than professional ability.

Senator D'Amato, as I said, was chair of the Commission. Because it goes between the House and Senate, it was the Senate's opportunity. Senator D'Amato, I know, received many suggestions about changes in staff. The staff to this day remains a professional staff, unrelated to partisan politics, serving not only this country's interests but the interests of so many citizens around the world who look to the Helsinki Commission to raise issues of human rights and political rights. For that alone, I would have great respect for Senator D'Amato.

I wanted to make that observation, that he saved, frankly, the Helsinki Commission's professional staff from being politicized at a time when that could very well have happened.

I am pleased to rise in support of the legislation, Mr. Speaker.

Mr. OBERSTAR. Mr. Speaker, I rise in strong support of H.R. 4006, which designates the new federal courthouse in Central Islip, New York in honor of former New York Senator Alfonse D'Amato. Senator D'Amato's career in public service spanned nearly three decades, starting in 1965 with his service as administrator of Nassau County, New York. In 1980, he was elected to the first of three terms in the United States Senate. While in the Senate, Mr. D'Amato served as Chairman of the Senate Banking Committee and was a senior member of the Senate Finance Committee and Senate Appropriations Committee.

A life-long New Yorker, Mr. D'Amato was born in Brooklyn, New York in 1937, and attended New York public schools on Long Island. He graduated from Chaminade High School before working his way through Syracuse University. He attended Syracuse Law School and was admitted to the bar in 1962.

I first came to know Alphonse D'Amato in 1989 when we were both appointed to serve on the Presidential Commission on Aviation Security and Terrorism, commonly known as the Pan Am 103 Commission. Senator D'Amato was a strong advocate for rigorous aviation security laws and we worked hard on the Commission to ensure that we investigated the cause of not only the Pan Am tragedy, but of other aviation incidents as well. We made recommendations to significantly toughen our aviation security policies and when it came time to pass legislation to implement our

commission's recommendations, Mr. D'Amato took a leading role in the United States Senate.

Senator D'Amato was also a tireless advocate for transit issues, specifically, for ensuring that the people of New York had access to a safe and effective public transportation system. We worked very closely together to ensure that transit received its fair share in the Transportation Equity Act for the 21st Century ("TEA 21"). As a result, transit funding has grown from \$4.3 billion in fiscal year 1997 to an expected \$7.2 billion this year—a 67 percent increase!

Senator D'Amato was a vocal advocate for inner cities, particularly economically distressed and underserved areas. He was also a forceful advocate for human rights and an unwavering supporter of Israel.

I am pleased that we are honoring Senator D'Amato with this designation of the new, state-of-the-art, federal courthouse in New York. I urge my colleagues to support H.R. 4006.

Ms. MALONEY. Mr. Speaker, I rise today in support of H.R. 4006, a bill to name the federal courthouse in Central Islip, New York, as the "Alfonse M. D'Amato United States Courthouse."

For 18 years, Alfonse D'Amato represented the State of New York with strength, determination, and caring. As Chairman of the Banking Committee, he led the fight in the Senate to make it easier for consumers to cancel unneeded, expensive mortgage insurance. He also fought to help Holocaust survivors and victims recovery assets.

His esteemed nickname, "Senator Pothole," was indicative of his willingness to fix New York's problems—small and large, even the literal potholes we New Yorkers have become accustomed to. He recognized the need to invest in our nation's transportation infrastructure.

Although the former Senator and I did not agree on many issues, I applaud and admire his dedication to the great people of New York.

The Alfonse D'Amato Courthouse would be a lasting tribute to a man whose public service lives on in New York.

Ms. NORTON. Mr. Speaker, I yield back the balance of my time.

Mr. BOOZMAN. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mr. CULBERSON). The question is on the motion offered by the gentleman from Arkansas (Mr. BOOZMAN) that the House suspend the rules and pass the bill, H.R. 4006.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

#### PAUL SIMON CHICAGO JOB CORPS CENTER

Mr. BOOZMAN. Mr. Speaker, I move to suspend the rules and pass the Senate bill (S. 378) to redesignate the Federal building located at 3348 South Kedzie Avenue, in Chicago, Illinois, as the "Paul Simon Chicago Job Corps Center."

The Clerk read as follows:

S. 378

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. DESIGNATION OF PAUL SIMON CHICAGO JOB CORPS CENTER.

(a) IN GENERAL.—The Federal building located at 3348 South Kedzie Avenue, in Chicago, Illinois, and known as the "Chicago Job Corps Center" shall be known and designated as the "Paul Simon Chicago Job Corps Center".

(b) REFERENCES.—Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in subsection (a) shall be deemed to be a reference to the "Paul Simon Chicago Job Corps Center".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. BOOZMAN) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas (Mr. BOOZMAN).

Mr. BOOZMAN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, S. 378 designates the Federal building in Chicago, Illinois, as the Paul Simon Chicago Job Corps Center.

Senator Paul Simon was born in Eugene, Oregon, on November 29, 1928, and attended public schools. He went on to attend the University of Oregon, and Dana College in Blair, Nebraska.

At the age of 19, Senator Simon became the Nation's youngest editor-publisher by saving the Troy Tribune in Troy, Illinois. He expanded his newspaper business to a chain of 14 weeklies in central and southern Illinois. Senator Simon used the newspaper to expose a syndicate gambling operation in Madison County, and in 1951, at the age of 22, he was called to testify before the United States Senate Crime Investigating Committee.

In 1966, he sold his newspaper business to devote full time to writing and public service. Senator Simon served in the United States Army, and was assigned to the Counterterrorism Corps as a special agent along the Iron Curtain in Europe.

Upon his return from Europe at the age of 25, he was elected to the Illinois House of Representatives. He was re-elected three times before being elected to the State Senate in 1962 for a 4-year term. Voters returned him to the State Senate in 1966. Halfway through his second Senate State term, he was elected lieutenant governor, and served until 1973. He was the first lieutenant governor to be elected to that post with the governor of another party.

Senator Simon was elected to the United States House of Representatives in 1974, and served for 10 years before being elected to the United States Senate in 1984. While in Congress, Senator Simon was a leading advocate for education, disability policy, and foreign affairs.

He was the chief sponsor of the Missing Children Act, which established the

National Center for Missing and Exploited Children.

Senator Simon also played a vital role by enacting job training education programs, including the National Literacy Act, the School-to-Work Opportunities Act, the Job Training Partnership Act, and the Direct College Loan Program. He was also the chief sponsor of the Balanced Budget Amendment of 1986, and initiated legislation to designate the first 5 federally-chartered high-speed rail corridors.

Senator Simon holds 39 honorary degrees and has written 15 books. It is appropriate that the Job Corps Center in Chicago be designated on behalf of Paul Simon. He was a dedicated public servant who cared greatly about advancing job-training opportunities for everyone. I support this bill, and ask my colleagues to support it, as well.

Madam Speaker, I reserve the balance of my time.

Ms. NORTON. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I strongly support the Senate bill, S. 378, a bill to designate the Job Corps center located at 334 South Kedzie Avenue in Chicago as the Paul Simon Chicago Job Corps Center.

The gentleman from Illinois (Mr. COSTELLO), the ranking member of the Committee on Transportation and Infrastructure Subcommittee on Economic Development, Public Buildings and Emergency Management, introduced the House companion bill, H.R. 2015, to honor the distinguished Senator from Illinois, Senator Paul Simon.

He was born in 1928 in Eugene, Oregon. He attended the University of Oregon and Dana College in Blair, Nebraska. As a 19-year-old teenager, he became the Nation's youngest editor-publisher when he accepted a local Lions Club challenge to save the Troy Tribune in Troy, Illinois. Needless to say, he met and exceeded the challenge, and proceeded to establish a chain of 13 newspapers in southern and central Illinois.

In 1954, he was elected to the Illinois House, and in 1962, he was elected to the Illinois Senate. During his State legislative career, he earned a reputation for political integrity and courage. In 1968, Senator Simon was elected lieutenant governor, and was the first person in State history to hold that post with the governor of another party.

In 1974, Senator Simon was elected to the House of Representatives, and served for 10 years. His legislative skills were put to use on issue areas including education, disability policy, and foreign affairs. He played a crucial role in establishing the National Center for Missing and Exploited Children.

In 1984, he upset the three-term incumbent, Senator Charles Percy, to win election to the U.S. Senate. Senator Simon was a prodigious worker, known for exceptional constituent service. His even-handed and balanced

approach to topics and controversial issues earned him friends on both sides of the aisle. His colleagues appreciated his personal warmth and sense of humor.

Paul Simon currently teaches political science and journalism at Southern Illinois University, Carbondale campus, and heads up the public policy institute that he founded.

Those of us who know Paul and his many talents are particularly delighted at this very fitting honor. It is just that, a fitting and proper tribute to an outstanding public career. I support S. 378, and urge my colleagues to join me in support of this legislation, named for Senator Paul Simon.

Madam Speaker, I reserve the balance of my time.

□ 1500

Mr. BOOZMAN. Madam Speaker, I reserve the balance of my time.

Ms. NORTON. Madam Speaker, I yield 2 minutes to my good friend, the gentleman from Maryland (Mr. HOYER).

Mr. HOYER. Madam Speaker, I thank the gentlewoman for yielding me time.

Madam Speaker, I guess one aspect of serving for over 2 decades in the House you get to know some extraordinary people, some extraordinary people who have been sent here from around the United States to represent them in the House and in the Senate. Paul Simon is one of the most decent people with whom I have served either in the 12 years I was in the Maryland Senate or the 21 years I have been here. Paul Simon and his wife, Jean, who passed away some years ago, were two people who loved this country, who loved Illinois, and who loved this House. I am sure they loved the Senate as well. But Paul Simon was someone who brought great credit to democracy in his honesty, his integrity, and as the gentlewoman from the District of Columbia (Ms. NORTON) has pointed out, his hard work on behalf of his constituents.

Americans were made prouder by this House of Representatives by knowing Paul Simon. Senator Simon, of course, became a candidate for President. He did not win the nomination, but he won the hearts and minds of literally millions of people around this Nation for his honesty and his deep sense of pride in this country and his deep concern for its people. I am proud to rise on this floor to pay tribute to Paul Simon and to say what an appropriate thing it is to name a Job Corps center for someone who cared so deeply about young people and about education, and about opportunities, and about hope.

Ms. NORTON. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, in closing I cannot stand simply as a member of the subcommittee and offer the subcommittee's views on Paul Simon, because anyone who had the great pleasure and honor of knowing Senator Paul Simon, as I did, would have to inform this

House that this was a man of the House and of the Senate who not only deserves this honor but who still resides in the hearts of many of us who remain here.

I was not in the House when Senator Simon served in the House. I got to know him when he came to the House and he was a Senator living in Southwest Washington. Here was a Senator who managed to be, of course, deeply involved in matters pertaining to his own State, but because he lived in Southwest Washington felt he had to become a citizen of Southwest as well. And he and his wife engaged in activities to help improve the District of Columbia. It was not only through the District of Columbia's affairs that I got to admire Senator Simon. I have particular admiration for his extraordinary intellect, for his gifts as a writer and as a journalist. There are any number of different institutions that can be named for Paul Simon because his talents are spread so evenly across so many different fields.

I want to particularly thank this Senator for the generosity he showed the people of the District of Columbia. He supported statehood. He supported full voting rights and full citizenship for the residents of the District. So it is not only a member of the committee, and I think speaking for all of us in the House and Senate that I stand to honor him today, speaking also with special warmth and meaning on behalf of residents of the District of Columbia.

Mr. OBERSTAR. Madam Speaker, I am very pleased to support S. 378, a bill to honor our former House and Senate colleague, Paul Simon.

Paul Simon and I were both elected to the House in the same year—1974. He came to the House after a distinguished career in the Illinois State Legislature. Mr. Simon was elected to the Illinois House of Representatives in 1954 and then to the Illinois Senate in 1962. During his 14 years in the State legislature, he won the Independent Voters of Illinois "Best Legislator Award" in every session. In 1968, Mr. Simon was elected as Illinois' Lieutenant Governor. After teaching at Sangamon State University in Springfield, Illinois, and the John F. Kennedy School of Government at Harvard University, he returned to public service in 1974 with his election to the House.

While we served in the House together, I was consistently impressed by Mr. Simon's energy and creativity. He was not only an effective legislator, but was also a prolific author. One of his books, *The Tongue Tied American*, which he wrote while serving in the House, explored the lack of foreign language skills in this country and its detrimental impact on foreign affairs. It was an issue that he and I joined forces on to stimulate the study of foreign languages and international affairs in U.S. colleges and universities.

In 1984, Paul Simon upset Senator Percy to win a seat in the U.S. Senate. In 1990, he won re-election to the Senate by defeating his opponent with 65 percent of the vote and by nearly a million votes—the largest plurality of any contested candidate for senator of either party that year.

While in the Senate, he became the champion of new, direct college loan programs, and

was the chief democratic sponsor of the balanced budget amendment. He was active in addressing violence in television programming, and a primary author of the National Literacy Act, the Job Training partnership amendments, and several provisions of the 1994 Elementary and Secondary Education Act.

Most recently, Senator Simon has returned to teaching and currently teaches political science and journalism at Southern Illinois University—Carbondale campus.

Paul Simon is a true gentleman, thoughtful and courteous. The people of Illinois and the American public benefited greatly from his service both in the House and Senate.

Paul Simon's contributions, particularly in the area of education and job training, set a standard for us all. The designation of the job corps center in Chicago in his honor is a fitting tribute to his exemplary public service.

I urge my colleagues to support S. 378.

Mr. COSTELLO. Madam Speaker, I strongly support Senate bill S. 378, a bill to designate the job corps center located at 3348 South Kedzie Ave. in Chicago as the Paul Simon Chicago Job Corps Center. I am honored and pleased to introduce the House companion bill, H.R. 2015, to honor the distinguished Senator from Illinois, Senator Paul Simon.

Paul Simon was born in 1928 in Eugene Oregon. He attended the University of Oregon and Dana College in Blair, Nebraska. As a 19 year old teenager he became the Nation's youngest editor-publisher when he accepted a local Lion's Club challenge to save the Troy Tribune in Troy, Illinois. Needless to say he met and exceeded the challenge and proceeded to establish a chain of 13 newspapers in southern and central Illinois.

In 1954 he was elected to the Illinois House, and in 1962 he was elected to the Illinois Senate. During his state legislative career he earned a reputation for political integrity and courage. In 1968 Simon was elected lieutenant governor, and was the first person in state history to hold that post with the governor of another party.

In 1974 Simon was elected to the House for Representatives and served for 10 years. His legislative skills were put to use on issue areas including education, disability policy, and foreign affairs. He played a crucial role in establishing the National Center for Missing and Exploited Children. In 1984 he upset three-term incumbent Senator Charles Percy to win election to the U.S. Senate. Senator Simon was a prodigious worker, known for exception constituent service. His evenhanded, balanced approach to topics and controversial issues earned him friends on both sides of the aisle. His colleagues appreciated his personal warmth and sense of humor.

Paul Simon currently teaches political science and journalism at Southern Illinois University—Carbondale campus and heads up the public policy institute that he founded. It is truly fitting and proper we honor the outstanding public career of Senator Simon with this designation. I support S. 378 and urge my colleagues to join me in support of this legislation.

Mr. DAVIS of Illinois. Madam Speaker, I rise today in support of S. 378, a bill to name the building located at 3348 S. Kedzie the Paul Simon Chicago Job Corps Center. I want to commend our senior Senator DICK DURBIN for his sponsorship of this bill.

Former Senator Paul Simon really epitomizes the virtues of work and what the Job

Corps stand for. Senator Simon at the age of 19 became the nation's youngest editor-publisher when he accepted a local Lion's Club challenge to save the Troy Tribune in Troy, IL—near St. Louis. He built a chain of 15 newspapers in southern and central Illinois, which he utilized to expose syndicate gambling connections in Madison County.

Senator Simon has always been a voice for the disadvantaged and less fortunate throughout his career in the Illinois State House and the Illinois State Senate. During his 14 years in the state Legislature, he won the Independent Voters of Illinois' "Best Legislator Award" every session. Senator Simon became known throughout the state as a public official with high integrity and great political courage. He did what was right—even if it was not expedient.

Senator Simon served as lieutenant governor in 1968, and was the first in the state's history to be elected to that post with a governor of another party. His work in that office focused on making government work more efficiently and effectively for its citizens.

During his years in the Senate he focused on education, job training, transportation and limiting violence on television networks. His integrity, exceptional constituent services, openness and willingness to listen are all virtues to be admired. He was without question one of the best Members to ever serve in the House and the Senate.

Senator Simon has retired from the Congress, but not from the influence of public policy. He is currently teaching at Southern Illinois University—where he is helping to shape young minds and future leaders.

The designation of the Job Corps facility at 3348 S. Kedzie is an excellent tribute to my friend Senator Simon—and may help to inspire all the young people who pass through.

Ms. NORTON. Madam Speaker, I yield back the balance of my time.

Mr. BOOZMAN. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from Arkansas (Mr. BOOZMAN) that the House suspend the rules and pass the Senate bill, S. 378.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the Senate bill was passed.

A motion to reconsider was laid on the table.

#### MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Williams, one of his secretaries.

#### HARVEY W. WILEY FEDERAL BUILDING

Mr. BOOZMAN. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2911) to designate the Federal building located at 5100 Paint Branch Parkway in College Park, Maryland, as the "Harvey W. Wiley Federal Building."

The Clerk read as follows:

H.R. 2911

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. DESIGNATION.

The Federal building located at 5100 Paint Branch Parkway in College Park, Maryland, shall be known and designated as the "Harvey W. Wiley Federal Building".

#### SEC. 2. REFERENCES.

Any reference in a law, map, regulation, document, paper, or other record of the United States to the Federal building referred to in section 1 shall be deemed to be a reference to the "Harvey W. Wiley Federal Building".

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Arkansas (Mr. BOOZMAN) and the gentlewoman from the District of Columbia (Ms. NORTON) each will control 20 minutes.

The Chair recognizes the gentleman from Arkansas (Mr. BOOZMAN).

Mr. BOOZMAN. Madam Speaker, I yield myself such time as I may consume.

H.R. 2911 designates the Federal building located at 1500 Paint Branch Parkway in College Park, Maryland, as the Harvey W. Wiley Federal building.

Harvey Washington Wiley was born in a log farm house in Indiana in 1844. He served as a corporal in the Civil War and then attended Hanover College where he earned a bachelors degree in 1867. He went on to study medicine at Indiana Medical College where he received his medical degree in 1871. He continued his education at Harvard University where he earned a bachelors degree in chemistry.

Dr. Wiley joined the faculty at Purdue University in 1874 where he developed and taught the first laboratory course in chemistry. Taking a sabbatical in Europe, Dr. Wiley was elected to the prestigious German Chemical Society for his work studying sugar chemistry. Upon his return to the United States, Dr. Wiley continued his research in the field of sugar chemistry focusing on the adulteration of the domestic sugar industry.

In 1882, Dr. Wiley was named chief chemist at the U.S. Department of Agriculture. In this position he was known as the father of the Pure Food and Drugs Act when it became law in 1906. And he served as the first commissioner of what would later become the Food and Drug Administration from 1907 through 1912.

In 1912, Dr. Wiley took over the laboratories of Good Housekeeping magazine where he established the Good Housekeeping Seal of Approval and continued to work tirelessly on behalf of the consuming public. The designation of this Federal building is a fitting tribute to the innovative scientist and dedicated public servant. I support the bill and urge my colleagues to join in support.

Madam Speaker, I reserve the balance of my time.

Ms. NORTON. Madam Speaker, I yield myself such time as I may consume.

Dr. Harvey W. Wiley, known as the Crusading Chemist and the father of the Federal Food and Drug Act, was born in a log farm house in 1844 near Kent, Indiana. After receiving his education in local schools, he attended Hanover College. And in 1841 he received his medical degree from Indiana Medical College. Following a brief assignment at Harvard University, Wiley returned to Indiana in 1874 to accept a faculty position in chemistry at the newly opened Purdue University. In 1833 he was appointed as chief chemist at the U.S. Department of Agriculture.

After 29 years at the Bureau of Chemistry, Wiley resigned to accept a position at Good Housekeeping Institute's Bureau of Food Sanitation and Health. In this position Wiley established the Good Housekeeping Seal of Approval. Dr. Wiley was a visionary and pioneer for the necessity of safe food and drug supplies and was vigilant in protecting the consumer.

His public career was dedicated to establishing and improving government regulations regarding safe food and drug processing. It is fitting that Dr. Wiley be honored with this designation at the new FDA headquarters in College Park, Maryland. I commend the gentleman from Maryland (Mr. HOYER) for introducing this bill and for his leadership in moving this bill through the legislative process.

Madam Speaker, I yield such time as he may consume to the distinguished gentleman from Maryland (Mr. HOYER), the author of this bill.

Mr. HOYER. Madam Speaker, I thank the gentlewoman from the District of Columbia (Ms. NORTON) for yielding me time, and I thank the gentleman from Arkansas (Mr. BOOZMAN) for facilitating the movement of this bill to the floor.

I rise, of course, Madam Speaker, in strong support of the Harvey W. Wiley Federal Building Designation Act. The building which we speak of today is the Food and Drug Administration's Center for Food Safety and Applied Nutrition, located in my district in College Park, Maryland.

Harvey Washington Wiley is best known, as has been said, for his pioneering work as the chief chemist at the Bureau of Chemistry, which of course is now known as the Food and Drug Administration.

His work in the early 1900s led to the passage of the Pure Food and Drug Act. As the head of the Bureau of Chemistry, Wiley served as chief enforcer of the act, and his inspection program revolutionized the country's food supply by making it healthier and safer. Each of us every day benefits from the work of Dr. Wiley. After serving 29 years, as was observed by the gentlewoman from District of Columbia (Ms. NORTON), as the chief of the Bureau of Chemistry, he resigned and later established the Good Housekeeping Seal of Approval as the director of Good Housekeeping Institute's Bureau of Foods, Sanitation and Health, a demonstration of his lifelong commitment



to the purity of our food and our health and our safety.

The Harvey W. Wiley Building is the result of a strong commitment and partnership between the Food and Drug Administration, the General Services Administration, the State of Maryland, the city of College Park, the city council, the local community, and the University of Maryland.

The Wiley Building, which opened in October of 2001, is the first major laboratory completed as part of the Food and Drug Administration's consolidation effort. The facility holds over 950 researchers and other staff doing a critical job for our people and for our country. We depend upon them to ensure that the foods we consume and the cosmetic products we use are safe and labeled properly.

The FDA's consolidation effort has been ongoing since 1991 when Congress gave authority to the FDA to improve its dilapidated facilities and bring its workers closer together for more efficient operations. In addition to this facility, the Center for Veterinary Medicine in Beltsville was completed in 1996 and work continues on four remaining centers at White Oak. When the consolidation is finally completed, Madam Speaker, it will consolidate nearly 40 different FDA facilities scattered around the metropolitan area. This will not only improve the working conditions of employees, it will save the taxpayers literally millions of dollars in reduced lease costs.

These Federal entities in tandem with the University of Maryland's world-class academicians and researchers will create a unique synergy in the Washington metropolitan region.

Naming the Center for Food Safety and Applied Nutrition in College Park after Harvey W. Wiley will cap off an already marvelous achievement for the FDA and GSA. There are times when we name buildings after people because perhaps they got the money for the buildings or perhaps they were luminaries in a particular jurisdiction or State or nation, but not necessarily involved with the building. This naming is as appropriate a naming as I think we have ever done because Dr. Wiley was such an integral part of developing food safety, nutritional health, and the oversight of that which is manufactured and purveyed that we either ingest or put on our bodies, that it will be safe for doing so. So I rise in strong support of this legislation. Again, I thank the gentleman from Arkansas (Mr. BOOZMAN) and the gentlewoman from the District of Columbia (Ms. NORTON) for expediting its presentation to the House and urge its unanimous adoption.

Mr. OBERSTAR. Madam Speaker, I rise in strong support of H.R. 2911. H.R. 2911 honors Dr. Harvey W. Wiley, known as the "Father of the Food and Drug Administration ("FDA")", by designating the new state-of-the-art Center for Food Safety and Applied Nutrition in College Park, Maryland as the "Harvey W. Wiley Federal Building".

Dr. Wiley was a pioneer who advocated on behalf of the American people for a safe food and drug supply. He fought for federal protections from fraudulent drugs and unsafe foods. From 1883 until 1912, he served as Chief of the Bureau of Chemistry at the U.S. Department of Agriculture ("USDA"). As a result of his strong beliefs and unwavering efforts, the first comprehensive bill ensuring a safe food and drug supply, the Pure Food and Drug Act, was passed in 1906. This Act has served as a cornerstone for the modern Food and Drug Acts.

Harvey Washington Wiley was born near Kent, IN, in 1844. He was an honor student at Hanover College and received his medical degree from Indiana Medical College in 1871. He also earned a B.S. degree from Harvard University after only a few months of intense effort. In 1874, Dr. Wiley accepted a faculty position in chemistry at Purdue University. In 1882, he was named Chief Chemist at the USDA, a position he held for nearly 30 years.

Under his leadership and perseverance, the Bureau of Chemistry grew in both size and stature. The Bureau's staff expanded from 110 to 146 employees, and their appropriations expanded from \$155,000 to nearly \$1 million in 1906.

In 1912, Dr. Wiley resigned from the Bureau and began a career at the Good Housekeeping labs where he established the "Good Housekeeping Seal of Approval". He died in 1930 and is buried at Arlington National Cemetery.

This bill is a fitting tribute to Dr. Harvey W. Wiley, the Father of the FDA.

I urge my colleagues to support H.R. 2911.

Ms. NORTON. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. BOOZMAN. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arkansas (Mr. BOOZMAN) that the House suspend the rules and pass the bill, H.R. 2911.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. BOOZMAN. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed.

#### GENERAL LEAVE

Mr. BOOZMAN. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous material on H.R. 4028, H.R. 4006, H.R. 2911 and S. 378, the measures just considered by the House.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

□ 1515

#### NORTH AMERICAN WETLANDS CONSERVATION REAUTHORIZATION ACT

Mr. SIMPSON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3908) to reauthorize the North American Wetlands Conservation Act, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3908

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

##### SECTION 1. SHORT TITLE.

*This Act may be cited as the "North American Wetlands Conservation Reauthorization Act".*

##### SEC. 2. AMENDMENT OF NORTH AMERICAN WETLANDS CONSERVATION ACT.

*Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provision, the reference shall be considered to be made to a section or other provision of the North American Wetlands Conservation Act (16 U.S.C. 4401 et. seq.).*

##### SEC. 3. FINDINGS AND STATEMENT OF PURPOSE.

(a) FINDING.—Section 2(a)(1) (16 U.S.C. 4401(a)(1)) is amended by striking "and other habitats" and inserting "and associated habitats".

(b) PURPOSES.—Section 2(b) (16 U.S.C. 4401(b)) is amended—

(1) in paragraph (1) by striking "and other habitats for migratory birds" and inserting "and associated habitats for wetland dependent migratory birds";

(2) in paragraph (2) by inserting "wetland dependent" before "migratory bird"; and

(3) in paragraph (3)—

(A) by inserting "wetland dependent" before "migratory birds"; and

(B) by inserting ", the United States Shorebird Conservation Plan, the North American Waterbird Conservation Plan, the Partners In Flight Conservation Plans," after "North American Waterfowl Management Plan".

##### SEC. 4. DEFINITION OF WETLANDS CONSERVATION PROJECT.

Section 3(9) (16 U.S.C. 4402(9)) is amended—

(1) in subparagraph (A) by inserting "of a wetland ecosystem and associated habitat" after "including water rights,"; and

(2) in subparagraph (B) by striking "and other habitat" and inserting "and associated habitat".

##### SEC. 5. REAUTHORIZATION.

Section 7(c) (16 U.S.C. 4406(c)) is amended by striking "not to exceed" and all that follows and inserting "not to exceed—

"(1) \$55,000,000 for fiscal year 2003;

"(2) \$60,000,000 for fiscal year 2004;

"(3) \$65,000,000 for fiscal year 2005;

"(4) \$70,000,000 for fiscal year 2006; and

"(5) \$75,000,000 for fiscal year 2007.".

##### SEC. 6. ALLOCATION.

Section 8(a) (16 U.S.C. 4407(a)) is amended—

(1) in paragraph (1)—

(A) by striking "(but at least 50 per centum and not more than 70 per centum thereof)" and inserting "(but at least 25 percent and not more than 50 percent thereof)"; and

(B) by striking "4 per centum" and inserting "4 percent"; and

(2) in paragraph (2) by striking "(but at least 30 per centum and not more than 50 per centum thereof)" and inserting "(but at least 50 percent and not more than 75 percent thereof)".

##### SEC. 7. CLARIFICATION OF NON-FEDERAL SHARE OF THE COST OF APPROVED WETLANDS CONSERVATION PROJECTS.

Section 8(b) (16 U.S.C. 4407(b)) is amended by striking so much as precedes the second sentence and inserting the following:

“(b) *COST SHARING*.—(1) Except as provided in paragraph (2), as a condition of providing assistance under this Act for any approved wetlands conservation project, the Secretary shall require that the portion of the costs of the project paid with amounts provided by non-Federal United States sources is equal to at least the amount allocated under subsection (a) that is used for the project.

“(2) Federal moneys allocated under subsection (a) may be used to pay 100 percent of the costs of such projects located on Federal lands and waters, including the acquisition of inholdings within such lands and waters.

“(3)”

#### SEC. 8. TECHNICAL CORRECTIONS.

(a) The North American Wetlands Conservation Act is amended as follows:

(1) In section 2(a)(10) (16 U.S.C. 4401(a)(10)), by inserting “of 1973” after “Species Act”.

(2) In section 3(2) (16 U.S.C. 4402(2)), by striking “Committee on Merchant Marine and Fisheries of the United States House of Representatives” and inserting “Committee on Resources of the House of Representatives”.

(3) In section 3(5) (16 U.S.C. 4402(5)), by inserting “of 1973” after “Species Act”.

(4) In section 4(a)(1)(B) (16 U.S.C. 4403(a)(1)(B)), by striking “section 3(2)(B)” and inserting “section 3(g)(2)(B)”.

(5) In section 4(c) (16 U.S.C. 4403(c)), in the matter preceding paragraph (1), by striking “Commission” and inserting “Council”.

(6) In section 5(a)(5) (16 U.S.C. 4404(a)(5)), by inserting “of 1973” after “Species Act”.

(7) In section 5(f) (16 U.S.C. 4404(f)), by striking “subsection (d)” and inserting “subsection (e)”.

(8) In section 10(1)(C) (16 U.S.C. 4409(1)(C)), by striking “western hemisphere pursuant to section 17 of this Act” and inserting “Western Hemisphere pursuant to section 16”.

(9) In section 10(1)(D) (16 U.S.C. 4409(1)(D)), by striking the period and inserting “; and”.

(10) In section 16(a) (16 U.S.C. 4413), by striking “western hemisphere” and inserting “Western Hemisphere”.

(b)(1) Section 112(1) of Public Law 101–593 (104 Stat. 2962) is amended by striking “and before the period”.

(2) Paragraph (1) of this subsection shall be effective on and after the effective date of section 112(1) of Public Law 101–593 (104 Stat. 2962).

The SPEAKER pro tempore (Mrs. EMERSON). Pursuant to the rule, the gentleman from Idaho (Mr. SIMPSON) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, this bill, H.R. 3908, would reauthorize the tremendously successful North American Wetlands Conservation Act, NAWCA. This landmark law has been instrumental in the conservation, restoration and enhancement of wetland and upland habitat throughout the United States, Canada and Mexico.

Wetlands are among the world's most productive environments. They are critical to the survival of fish and wildlife populations and vital to the protection of water quality. Wetlands protect ground and surface water, reduce severity of floods, and provide habitat for a diverse community of plants, animals, fish and birds. In particular, millions of migratory waterfowl rely on wetlands

throughout their life cycle. Wetlands also provide untold hunting and wildlife viewing opportunities for millions of Americans.

Due to their proximity to water, wetland conversion poses a constant threat. Indeed, development pressures have already eliminated more than 50 percent of our Nation's original wetlands. It is essential that we conserve our remaining wetland habitats, and that is the fundamental goal of this legislation.

NAWCA is a popular and innovative program. It has received substantial support from the Bush administration, the International Association of Fish and Wildlife Agencies, local communities and dozens of conservation groups such as Ducks Unlimited.

Instead of increasing the regulatory restrictions, this act provides funds as an incentive to conserve and enhance wetlands. Since the first wetlands grants were awarded in 1991, almost 900 projects have been funded and over 8 million acres of wetlands and associated uplands have been conserved.

In the chairman's State of Utah, a NAWCA project was responsible for acquiring over 1,100 acres for permanent protection and 15,400 acres of degraded wetlands were restored. These wetlands are invaluable not only to thousands of migratory birds but also to the sportsmen of the State of Utah.

What is most remarkable about this program is the substantial partner support that it receives each year. While the Act requires a one-to-one match, in a typical year every NAWCA dollar is matched with well over \$3, and this money is contributed by a host of conservation organizations. Such support indicates the tremendous popularity of this program and recognizes that wetland conservation is a national priority.

During committee consideration, the funding levels for the program were slightly increased and greater emphasis was placed on wetland conservation projects in the United States. These are both positive improvements to the act.

I urge an aye vote on H.R. 3908.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I may consume.

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Madam Speaker, this coming Saturday on May 11, bird conservationists across much of the Western hemisphere will celebrate International Migratory Bird Day.

Established in 1993, this second Saturday in May has been set aside this year to appreciate the nearly 350 species of migratory birds that travel between nesting habitats in North America and nonbreeding grounds in South and Central America, Mexico, and the Caribbean, including my district, the U.S. Virgin Islands.

In this respect, I find it fitting for the House to consider today legislation to reauthorize the North American Wetlands Conservation Act, or perhaps better known by its acronym, NAWCA.

Madam Speaker, wetlands are among the world's most productive environments and remain essential habitat for many migratory birds, including waterfowl.

In 1986, the United States, Canada and Mexico developed the North American Waterfowl Management Plan, which established a cooperative international management effort to reverse the declines in waterfowl populations and their habitats. Congress subsequently enacted NAWCA in 1989 to implement the habitat conservation elements of that plan.

In the intervening years, NAWCA has proven itself to be an effective funding mechanism to support a wide range of public/private conservation activities that preserve or protect wetland habitats on the landscape. Virtually every region of the United States and vital wetland habitats in Canada and Mexico have benefited from NAWCA project grants. The future looks bright.

I am pleased to report that H.R. 3908, the North American Wetlands Conservation Reauthorization Act, is a positive step towards ensuring that NAWCA remains an effective conservation tool in the years ahead. Most importantly, the increased authorizations for appropriations in H.R. 3908 will help address a significant unmet demand for NAWCA grants.

In addition, H.R. 3908 will also provide a higher level of financial support for conservation projects in the United States where the demand is greatest and where it is possible to generate the necessary non-Federal matching funds. Overall, there should be an increase in non-Federal matching funds for NAWCA grants.

Importantly, we have acted responsibly to ensure that this change in allocation will not decrease the existing level of financial grant support for our partners in Canada and Mexico.

In closing, NAWCA represents the type of conservation success story which Congress should strive to emulate in its other programs. H.R. 3908 will maintain and build on this solid record of achievement, and I urge Members to support this important environmental legislation.

Madam Speaker, I have no further speakers, and I yield back the balance of my time.

Mr. SIMPSON. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Idaho (Mr. SIMPSON) that the House suspend the rules and pass the bill, H.R. 3908, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

# SAND MOUNTAIN WILDERNESS STUDY AREA, IDAHO LAND CONVEYANCE

Mr. SIMPSON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 2818) to authorize the Secretary of the Interior to convey certain public land within the Sand Mountain Wilderness Study Area in the State of Idaho to resolve an occupancy encroachment dating back to 1971.

The Clerk read as follows:

H.R. 2818

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

## SECTION 1. LAND CONVEYANCE, SAND MOUNTAIN WILDERNESS STUDY AREA, IDAHO.

(a) CONVEYANCE AUTHORIZED.—Notwithstanding section 603(c) of the Federal Land Policy and Management Act of 1976 (43 U.S.C. 1782(c)), the Secretary of the Interior may convey to the owner of the Sand Hills Resort in the State of Idaho (in this section referred to as the “Sand Hills Resort”), all right, title, and interest of the United States in and to a parcel of land consisting of approximately 10.23 acres of public land in the Sand Mountain Wilderness Study Area (#ID 35-3) of the Bureau of Land Management in the State of Idaho, as more fully described in subsection (b).

(b) DESCRIPTION OF LAND.—The public land to be conveyed under subsection (a) is lot 8 in section 19, township 8 north, range 40 east, Boise meridian, Idaho.

(c) CONSIDERATION.—As consideration for the conveyance of the land under subsection (a), the Sand Hills Resort shall pay to the Secretary an amount equal to the fair market value of the land, as valued by qualified land appraisal.

(d) EXEMPTION FROM INTERIM MANAGEMENT POLICY.—To facilitate the conveyance authorized by subsection (a), the land to be conveyed is exempt from all requirements of the Interim Management Policy for Lands Under Wilderness Review of the Bureau of Land Management.

(e) ADDITIONAL TERMS AND CONDITIONS.—The Secretary may require such additional terms and conditions in connection with the conveyance under subsection (a) as the Secretary considers appropriate to protect the interests of the United States.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Idaho (Mr. SIMPSON) and the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, H.R. 2818 is a simple, straightforward bill that would convey approximately 10.23 acres of public land located within the Bureau of Land Management Sand Mountain Wilderness Study Area, located near St. Anthony in southeast Idaho, to the owner of the Sand Hills Resort. The Sand Hills Resort will pay fair market value for the land as valued by an appraisal.

In 1971, Mr. Williams, the current owner of the Sand Hills Resort, purchased the 5-acre resort and existing developments and over the ensuing 31

years has added numerous improvements to the property. The resort is a gateway to the St. Anthony Sand Dunes, a popular recreational area in southeast Idaho. Unfortunately, the 5-acre resort and a small strip of land containing roads, camping sites and power lines was inadvertently included in BLM's Sand Mountain Wilderness Study Area boundary, which was established in 1981.

Mr. Williams successfully operated the resort until the early 1990s, when the BLM began to question the location of the resort and several facilities located on the resort. In 1995, a survey was initiated confirming that the majority of the resort's facilities, including a portion of Mr. Williams' house, were encroaching on public land. Since June of 1998, the resort has operated under a Special Land Use Permit, which temporarily authorizes Mr. Williams' use of the public land in question and allows the BLM to collect a fair market rent.

In June of 1997, the BLM began working to sell Mr. Williams 10 acres of land in order to resolve the encroachment issue. In September of 1997, the BLM published A Notice of Intent to Prepare a Land Use Plan Amendment, the first step in the process that would have adjusted the boundary of the Sand Mountain Wilderness Study Area and allowed the BLM to sell approximately 10 acres to the Sand Hills Resort. Unfortunately, the local BLM office was not able to move forward with the plan amendment due to concerns that the proposed sale violated the BLM's Interim Management Policy for Wilderness Study Area Management.

Until the encroachment issue is resolved, Mr. Williams cannot gain clear title to his property, preventing him from obtaining a loan against the property or making improvements to the property. Furthermore, this prevents Mr. Williams or his family from selling the resort, placing an undue financial hardship on Mr. Williams and his family.

H.R. 2818 is a win-win solution to this longstanding issue. The Resources Committee and the administration support it, and I urge my colleagues to support this bipartisan, common sense legislation.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I might consume.

The problem this bill is intended to address is the result of two different but related mistakes. The first mistake was to include this small parcel of private property within the boundaries of a Wilderness Study Area. The second was the encroachment onto Federal lands by the Sand Hills Resort. The Bureau of Land Management might have resolved the encroachment administratively had the area not been within a Wilderness Study Area. Thus, the two mistakes compounded each other.

Clearly, the sale of part of a WSA raises serious concerns. We would

strongly oppose any legislation authorizing such a sale to a landowner who had purposely trespassed on Federal land as a means of eventually acquiring property that might not otherwise have been available for disposal.

Unfortunately, determining precisely what this landowner knew or should have known and when he knew or should have known it would require an investigation of events that transpired more than 30 years ago. Further, it appears the property lines in this area of shifting sand dunes have only recently been established conclusively, and a certain amount of confusion is not surprising.

Therefore, allowing this landowner to purchase a small parcel for fair market value seems a reasonable solution to a difficult problem, and therefore we will not oppose H.R. 2818.

Madam Speaker, I have no further speakers on this bill, and I yield back the balance of my time.

Mr. SIMPSON. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Idaho (Mr. SIMPSON) that the House suspend the rules and pass the bill, H.R. 2818.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

## CARIBBEAN NATIONAL FOREST WILD AND SCENIC RIVERS ACT OF 2002

Mr. SIMPSON. Madam Speaker, I move to suspend the rules and pass the bill (H.R. 3954) to designate certain waterways in the Caribbean National Forest in the Commonwealth of Puerto Rico as components of the National Wild and Scenic Rivers System, and for other purposes, as amended.

The Clerk read as follows:

H.R. 3954

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. SHORT TITLE.

This Act may be cited as the “Caribbean National Forest Wild and Scenic Rivers Act of 2002”.

### SEC. 2. WILD AND SCENIC RIVER DESIGNATIONS, CARIBBEAN NATIONAL FOREST, PUERTO RICO.

(a) FINDINGS.—The Congress finds the following:

(1) In the revised land and resource management plan for the Caribbean National Forest/Luquillo Experimental Forest, approved April 17, 1997, and the environmental impact statement prepared as part of the plan, the Secretary of Agriculture examined the suitability of rivers within the Caribbean National Forest/Luquillo Experimental Forest for inclusion in the National Wild and Scenic Rivers System.

(2) Based on such examination, the Rio Icacos, Rio Mameyes, and Rio de La Mina were found to be free flowing waterways and to possess outstandingly remarkable scenic, recreational, geological, hydrological, biological, historical, and cultural values, and, therefore,

to qualify for addition to the National Wild and Scenic Rivers System.

(b) DESIGNATIONS.—Section 3(a) of the Wild and Scenic Rivers Act (16 U.S.C. 1274(a)) is amended by adding at the end the following new paragraph:

“(\_\_\_\_) RIVERS OF CARIBBEAN NATIONAL FOREST, PUERTO RICO.—

“(A) RIO MAMEYES.—The segment of approximately 4.5 miles from its headwaters in the Baño de Oro Research Natural Area to the boundary of the Caribbean National Forest, to be administered by the Secretary of Agriculture as follows:

“(i) As a wild river from its headwaters in the Baño de Oro Research Natural Area to the crossing point of Trail No. 24/11 (approximately 500 feet upstream from the confluence with the Rio de La Mina), a total of approximately 2.1 miles.

“(ii) As a scenic river from the crossing point of Trail No. 24/11 to the access point of Trail No. 7, a total of approximately 1.4 miles.

“(iii) As a recreational river from the access point of Trail No. 7 to the national forest boundary, a total of approximately 1.0 miles.

“(B) RIO DE LA MINA.—The segment of approximately 2.1 miles from its headwaters to its confluence with the Rio Mameyes, to be administered by the Secretary of Agriculture as follows:

“(i) As a recreational river from its headwaters in the El Yunque Recreation Area downstream to La Mina Falls, a total of approximately 0.9 miles.

“(ii) As a scenic river from La Mina falls downstream to its confluence with the Rio Mameyes, a total of approximately 1.2 miles.

“(C) RIO ICACOS.—The segment of approximately 2.3 miles from its headwaters to the boundary of the Caribbean National Forest, to be administered by the Secretary of Agriculture as a scenic river.”.

(c) SPECIAL MANAGEMENT CONSIDERATIONS.—

(1) CERTAIN PERMITTED ACTIVITIES.—Subject to paragraph (2), the amendment made by the subsection (b) and the applicability of the Wild and Scenic Rivers Act (16 U.S.C. 1271 et seq.) to the river segments added to the National Wild and Scenic Rivers System by the amendment shall not be construed to prevent any of the following activities within the boundaries of the river segments:

(A) Installation and maintenance of hydrologic, meteorological, climatological, or atmospheric data collection and transmission facilities, or any combination of such facilities, when the Secretary of Agriculture determines that such facilities are essential to the scientific research purposes of the Luquillo Experimental Forest.

(B) Construction and maintenance of nesting structures, observation blinds, and population monitoring platforms for threatened and endangered species.

(C) Construction and maintenance of trails to such facilities as necessary for research purposes and for the recovery of threatened and endangered species.

(2) CONDITIONS.—The activities authorized by paragraph (1) shall be subject to such conditions as the Secretary considers desirable. The Secretary shall ensure that the scale and scope of such activities within the boundaries of a river segment added to the National Wild and Scenic Rivers System by the amendment made by the subsection (b) are not detrimental to the characteristics of the river segment that merited its designation as a wild, scenic, or recreational river.

(d) PRESERVATION OF COMMONWEALTH AUTHORITY.—Nothing in this section or the amendment made by this section shall be construed to limit the authority of the Commonwealth of Puerto Rico over waters and natural channels of public domain pursuant to the laws of the Commonwealth of Puerto Rico.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from

Idaho (Mr. SIMPSON) and the gentleman from the Virgin Islands (Mrs. CHRISTENSEN) each will control 20 minutes.

The Chair recognizes the gentleman from Idaho (Mr. SIMPSON).

Mr. SIMPSON. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, Resident Commissioner ACEVEDO-VILÁ introduced and amended H.R. 3954, the Caribbean National Forest Wild and Scenic Rivers Act of 2002. The purpose of this Act is to designate three rivers within the Caribbean National Forest as Wild and Scenic Rivers.

These three rivers were recommended for wild and scenic designation in the Revised Land and Resource Management Plan for the Caribbean National Forest. This act is supported by the Committee on Resources and the administration. I urge my colleagues to favorably support this legislation.

Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I may consume.

(Mrs. CHRISTENSEN asked and was given permission to revise and extend her remarks.)

Mrs. CHRISTENSEN. Madam Speaker, the Caribbean National Forest Wildlife and Scenic Rivers Act of 2002 was introduced by the gentleman from Puerto Rico (Mr. ACEVEDO-VILÁ), my friend and the distinguished Representative of the Commonwealth of Puerto Rico, on March 13, 2002.

The bill would designate approximately 9.9 miles of three rivers, Rio Mameyes, Rio De La Mina, and Rio Icacos, within the Caribbean National Forest in Puerto Rico as components of the National Wild and Scenic River System. The Forest Service found these river segments eligible and suitable for designation as National Wild and Scenic River in a study completed in 1997.

The administration supports this bill, and I want to congratulate my colleague, the Resident Commissioner of Puerto Rico, for his efforts and hard work on this bill, and I urge its adoption.

Madam Speaker, I reserve the balance of my time.

□ 1530

Mr. SIMPSON. Madam Speaker, I reserve the balance of my time.

Mrs. CHRISTENSEN. Madam Speaker, I yield such time as he may consume to the gentleman from Puerto Rico (Mr. ACEVEDO-VILÁ, the Resident Commissioner of Puerto Rico).

(Mr. (Mr. ACEVEDO-VILÁ) asked and was given permission to revise and extend his remarks.)

Mr. ACEVEDO-VILÁ. Madam Speaker, I introduced H.R. 3954 to provide maximum protection for three extraordinary rivers that run through the tropical forest lands of the Caribbean National Forest known in Puerto Rico

as El Yunque. By further protecting the Rio Mayemes, the Rio Icacos, and the Rio de la Mina, Puerto Ricans and visitors to the Commonwealth would be able to enjoy these wonderful rivers in their free-flowing natural state for generations to come. These rivers have outstanding characteristics, including wonderful waterfalls, inviting pools, and large boulders. They also provide critical habitat for endangered species and sensitive tropical plant species.

It is the intent of the Wild and Scenic Rivers Act of 1968 to preserve rivers and sections thereof, to protect the water quality of such rivers, and to fulfill other vital conservation purposes. This legislation will protect three rivers in El Yunque from every possible encroachment, including the urban interface, development and business interests, and pollution. Wild and scenic designation will provide maximum protection for these beautiful rivers that make up a significant part of the experience of visiting El Yunque.

I want to thank the chairman of the Committee on Resources, the gentleman from Utah (Mr. HANSEN), the ranking member, the gentleman from West Virginia (Mr. RAHALL), and all my colleagues on the committee for supporting this bill. I ask for my colleagues' support of the Caribbean Wild and Scenic Rivers Act of 2002, and invite them to visit El Yunque upon their next visit to Puerto Rico. It is the only tropical rain forest within the national forest system and the only managed rain forest in the world. So the next time my colleagues visit Puerto Rico, I invite them to go, and I urge all my colleagues to vote in favor of this bill.

Madam Speaker, first I want to thank Chairman HANSEN, Ranking Member RAHALL, Subcommittee Chairman MCINNIS, Subcommittee Ranking Member INSLEE and all of my colleagues on the Resources Committee who have supported this laudable legislation.

I am proud that the House will consider H.R. 3954—The Caribbean National Forest Wild and Scenic Rivers Act of 2002. Should you not yet be familiar, I encourage you to visit El Yunque upon your next visit to Puerto Rico. I am sure you will agree that El Yunque, the only tropical rain forest within the U.S. National Forest System, is a natural wonder and unique, resource that we must preserve, and protect forever. El Yunque is the only managed rain forest on earth, and with this distinction comes heightened responsibility in my opinion, to fully protect this important resource. The enactment of this bill, along with the wilderness legislation (H.R. 3955) approved by the Committee last month, will help ensure that the natural integrity of El Yunque is preserved for the 1 million annual visitors to the CNF for generations to come.

H.R. 3954 would preserve and protect three rivers that flow within the boundaries of El Yunque. It is the intent of the Wild and Scenic Rivers Act of 1968 to preserve rivers and sections thereof to protect the water quality of such rivers and to fulfill other vital national conservation purposes. It is within this intent that I have introduced this bill, and I am fully committed to the preservation of these beautiful rivers. While there are additional rivers

within El Yunque that have received wild and scenic designation recommendations, the areas of these rivers are covered under H.R. 3955 through wilderness designation, or are within the existing Baño de Oro Natural Area. Therefore, I have followed recommendations to focus on rivers running outside of the proposed El Toro wilderness Area and outside of existing natural areas.

The three rivers that would be designated under this act were all recommended for inclusion under the National Wild and Scenic Rivers System by the revised land and resource management plan for the CNF, approved April 17, 1997. This management plan was the basis for the introduction of this bill, and I ask for your support during its consideration.

The three rivers include the Rio Mameyes, the Rio Icacos, and the Rio de La Mina. All three have outstanding characteristics and make up an integral part of the experience when visiting the forest.

The Rio Mameyes offers outstanding scenic, biological and recreational values to visitors. It flows over large boulders and numerous waterfalls, forming enjoyable pools. Trails run along gorges that descend through the forest. The water quality along the upper segment is optimum, with no interference from human encroachment.

The Rio Mameyes provides important habitat for the Puerto Rican Parrot and Puerto Rican Boa, both endangered species. Furthermore, the endangered Broad-winged and Sharp-shinned Hawks, and the threatened Peregrine Falcon, are also known to use this area. The Mameyes system enjoys the highest natural aquatic diversity and species richness of any forest watershed. The Mameyes remains the only uninterrupted, free flowing river in Puerto Rico.

The Rio de la Mina is judged as eligible based on its outstanding scenic, recreation, biological and historic values. Like the Mameyes, the Rio de La Mina descends over boulders and waterfalls, forming rapids and pools. Trails parallel the river and provide for numerous recreation areas. The most spectacular waterfalls in the forest exist along the Rio de la Mina. These falls, known as La Mina Falls, play an important role in promoting Puerto Rico as a prime vacation destination. The water quality is good within the proposed designation area. The Rio de la Mina also provides habitat for endangered animal and plant species.

The Rio Icacos is judged as eligible based on its outstanding scenic, historic, cultural and ecological values. The Rio Icacos has some of the most varied terrain of any of El Yunque's rivers. Near the headwaters, the gradient is less steep than further downstream where it also descends over boulders and waterfalls. In the upper section, the streambed exhibits a unique sandy bed due to its origin in the upper, flatter section. The palm forest is very striking along the bank, more so than in any other area of the forest. Water quality is high within the proposed designation area. Endangered animal and plant species are present within the proposed area.

With your support, these wild and scenic river designations in El Yunque can become a reality this year. Please let me know when and if you will visit the Caribbean National Forest. Puerto Ricans take great pride in El Yunque, and I assure you it is worth the trip to visit.

Mrs. CHRISTENSEN. Madam Speaker, I yield myself such time as I may

consume to once again commend the gentleman from Puerto Rico for his hard work on this bill.

Madam Speaker, I yield back the balance of my time.

Mr. SIMPSON. Madam Speaker, I yield myself such time as I may consume to also commend the gentleman from Puerto Rico.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from Idaho (Mr. SIMPSON) that the House suspend the rules and pass the bill, H.R. 3954, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

#### GENERAL LEAVE

Mr. SIMPSON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and include extraneous material on the three bills just considered, H.R. 3908, H.R. 2818, and H.R. 3954.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Idaho?

There was no objection.

#### EXPRESSING REGRET AND SYMPATHY FOR FAMILIES OF CANADIAN SOLDIERS WHO LOST THEIR LIVES IN SOUTHERN AFGHANISTAN

Mr. HOUGHTON. Madam Speaker, I move to suspend the rules and agree to the resolution (H. Res. 412) expressing regret and sympathy for the families of the 4 Canadian soldiers who lost their lives on April 17, 2002, in a friendly-fire incident in southern Afghanistan.

The Clerk read as follows:

H. RES. 412

Whereas since the terrorist attacks on the United States on September 11, 2001, the Government and people of Canada have offered their steadfast support to the United States in the international war against terrorism;

Whereas this support is in defense of the values that define and unite the United States and Canada;

Whereas the Government of Canada has also provided significant military support to the international war against terrorism, first deploying troops to Afghanistan in October 2001;

Whereas on January 7, 2002, the Government of Canada announced it would be sending an additional 750 troops to Afghanistan from the 3rd Battalion of the Princess Patricia's Canadian Light Infantry Battle Group to support the coalition against terrorism;

Whereas on April 17, 2002, 4 Canadian soldiers from that battalion were killed and 8 others were wounded in a friendly-fire incident in southern Afghanistan;

Whereas the Canadian soldiers who lost their lives were Sergeant Marc D. Leger of

Lancaster, Ontario, Corporal Ainsworth Dyer of Montreal, Quebec, Private Richard A. Green of Edmonton, Alberta, and Private Nathan Smith of Tatamagouche, Nova Scotia;

Whereas the people of the United States value the friendship and goodwill of the people of Canada; and

Whereas President Bush has offered his sorrow and sympathy to the Government and people of Canada for this tragedy: Now, therefore, be it

*Resolved*, That the House of Representatives—

(1) praises the performance and heroism of Canadian soldiers;

(2) extends its regret and sympathy to the families of the 4 Canadian soldiers who lost their lives and others who suffered injury on April 17, 2002, in a friendly-fire incident in southern Afghanistan, and to the Government and people of Canada for their loss; and

(3) reaffirms the Nation's appreciation for Canada's strong support and commitment to the war against terrorism.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from New York (Mr. HOUGHTON) and the gentleman from California (Mr. LANTOS) each will control 20 minutes.

The Chair recognizes the gentleman from New York (Mr. HOUGHTON).

#### GENERAL LEAVE

Mr. HOUGHTON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on House Resolution 412.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HOUGHTON. Madam Speaker, I yield myself such time as I may consume.

I would like to talk a little bit informally, Madam Speaker, about the situation which has affected us all, and I know that the gentleman from California (Mr. LANTOS) will be doing the same thing, and I am delighted to be associated with my friend, the gentleman from California (Mr. LANTOS).

As we all know, on April 17, four Canadian soldiers were killed and eight Canadian soldiers were wounded by an American bomb that was mistakenly dropped on a Canadian training exercise near Kandahar in Afghanistan. I would like to read the names of the Canadian soldiers who are from the Third Battalion, the Princess Pat's Canadian Light Infantry Battle Group.

Before I read those names, I would like to just say that I grew up on stories of the Princess Pat's Regiment. It was a famous regiment. A great older friend of mine was in it in World War I and described some of the great battles that went on. So it is a very, very distinguished group.

The names of the soldiers are Sergeant Marc D. Leger of Lancaster Ontario; Corporal Ainsworth Dyer of Montreal, Quebec; Private Richard A. Green of Edmonton, Alberta; and Private Nathan Smith of Tatamagouche, Nova Scotia.

Now, as many of us know, these soldiers had been in Afghanistan since

late January as part of Operation Apollo, which was Canada's military complement to the campaign against terrorism. The casualties were especially difficult for the Canadian people as well as ourselves not only because of the circumstances surrounding the incident but because these are the first Canadian soldiers killed since the Korean War.

President Bush expressed his deepest sorrow and sympathy to the families and to the people of Canada both in a letter to Prime Minister Chretien and several times in public, and the Senate has also passed a similar resolution.

There is an investigation underway to determine the exact circumstances of the incident in Afghanistan. This, sadly, will not bring the soldiers back, but it is something we want to know. And we are doing this really to let Canada understand that we are deeply sorry for their loss and we do not want anything to get in the way of our historical friendship and alliance.

It is awfully difficult, because many times in pursuing a war or pursuing some sort of activity for the national good, you hurt your friends, you hurt yourself. And how do you say you are sorry? This is one of the ways of trying to express our sorrow and our association with people.

Canada has always been there for us in times of trouble. For example, after September 11, I remember going down to New York City when Senator Jerry Grafstein organized 25,000 Canadians in New York to express their solidarity with the United States. It was a wonderful, moving time. The fire department and the police department of New York and Toronto, Mayor Guiliani, Prime Minister Chretien were there, and it was the type of thing that you would like to see of a friend. So this incident with the four Canadian soldiers makes it even more difficult for us.

I always remember during those difficult days with the Iran hostages, the Canadians were always there with us; made heroic feats in trying to save some of the American citizens.

In a week, some of us are going to go to Rhode Island and meet with the Canadians on our usual American-Canadian session where we exchange ideas and issues and problems and opportunities, and we will have a chance personally to be able to express, as some of us have already done on the phone, to our Canadian friends. But it just seemed to some of us that it was important that here in the well of the House, officially, to tell our Canadian friends how terribly, terribly sorry we are.

What are we all striving for? What are we doing? What is our search for fairness and for decency and for peace? We are all trying to make a difference. Those people who died made the supreme difference, and we are just honored to know that they are citizens and their families are citizens of this great North American Continent, and we would like to express our condolences and our feelings to those families.

Madam Speaker, I would now like to add my voice to the many others who have also expressed their sentiments.

Madam Speaker, I reserve the balance of my time.

Mr. LANTOS. Madam Speaker, I yield myself such time as I may consume, and I rise in strong support of H. Res. 412.

Madam Speaker, I would like to commend first the gentleman from Illinois (Mr. HYDE) for expediting consideration of this important measure, and I want to applaud the efforts of my dear friend and colleague, the gentleman from New York (Mr. HOUGHTON), who for many years has worked tirelessly to build and maintain the strong bonds that unite the United States and Canada.

Madam Speaker, in World War II, Canadian troops fought side by side with American soldiers to defeat fascism in Nazi Germany. During the Korean War, Canadian volunteers joined United Nations forces to help protect South Korea from communism. Last year, Canada once again sent its finest sons and daughters into harm's way, this time to combat international terrorism in Afghanistan.

Since the beginning of the year, approximately 800 Canadian troops have helped secure Kandahar and protected relief operations in that entire area. Unfortunately, as we all know, a terrible accident occurred recently. In the early morning of April 17, an American F-16 pilot accidentally dropped a laser-guided bomb on Canadian troops who were conducting combat exercises in a designated training area near their base south of Kandahar.

Sergeant Marc Legere, Corporal Ainsworth Dyer, Private Richard Green and Private Nathan Smith perished in that accident. Eight other brave Canadian soldiers were wounded in the explosion.

Madam Speaker, on behalf of all of us on this side, I wish to extend our heartfelt condolences to the families and loved ones of these wonderful Canadian soldiers. We also want to express our deepest sympathies to a grieving nation.

Although we will have to await the findings of the ongoing investigations to learn how this terrible tragedy occurred and what can be done to prevent its recurrence, several points are already clear. The United States and Canada and our respective peoples continue to enjoy what is one of the most powerful, unwavering friendships that spans generations and can withstand even the most challenging tribulations.

As a result, our two great nations stand together in their eternal commitment to defend freedom, democracy, the right of civilized societies to live in peace and security; a right that in the 21st century is being threatened by global terrorism. In the fight against global terrorism, Canada, as always, is shouldering a heavy burden and making major sacrifices. We all appreciate this enormous contribution and we will never forget it.

Madam Speaker, with Canada's continued help, and the assistance of our other friends and allies, I am fully confident that we will vanquish the scourge of terrorism forever. I invite all of my colleagues to join me in a salute to the 12 heroes of Canada by voting in favor of this resolution.

Madam Speaker, I yield such time as he may consume to the distinguished gentleman from New York (Mr. LAFALCE), my good friend, the ranking Democratic member on the Committee on Financial Services.

(Mr. LAFALCE asked and was given permission to revise and extend his remarks.)

Mr. LAFALCE. Madam Speaker, I have the great honor of representing Niagara Falls, New York, and about 60 seconds across the Rainbow Bridge, the Lewiston-Queenston Bridge and the Whirlpool Bridge stands Niagara Falls, Ontario and Queenston, Ontario. I have the great honor of representing the City of Buffalo, and across the Peace Bridge stands Fort Erie, Ontario.

Between the Americans that abut the Canadian border and the Canadians that abut the American border, there is a common and virtually universal feeling of brotherhood and sisterhood.

□ 1545

We feel as if the Canadians are our brothers and sisters, and I think most Canadians feel as if we are their brothers and sisters. This has been shown countless ways and countless times throughout our history; but I do not think that it was ever shown more than on September 11, because when we wept in Buffalo and Niagara Falls, they wept just as much in Fort Erie and Niagara Falls, Canada, because when we were attacked, they felt they were attacked. When our brothers and sisters were killed, they believed that their brothers and sisters were killed.

Madam Speaker, they acted as brothers and sisters did. They took our planes and took our people, and they enlisted in the fight and combat against terrorism wherever and whenever they could, in greater percentage numbers than we have participated, in all candor, including in the fields of Afghanistan.

I guess the only thing that is worse than seeing a brother or sister killed is when we, by inadvertence, are responsible for it. No words could express our sorrow, but we must make that effort. On behalf of all of the people of my district, and through this resolution on behalf of every single American, we say to every single Canadian, we are so, so sorry.

Ms. SLAUGHTER. Madam Speaker, I rise today to express my humblest condolences to our Canadian neighbors on the deaths of four Canadian soldiers who died on April 17, 2002.

The people of Canada and their Government have offered their stalwart support to our country in the international war against terrorism. We are indebted to the Canadian people and wish to express our deepest gratitude for their efforts.



On April 17, four Canadian soldiers from the 3rd Battalion of the Princess Patricia's Canadian Light Infantry Battle Group were killed and eight others were wounded in a "friendly-fire" incident in southern Afghanistan when they were mistakenly fired upon by American troops. These Canadian soldiers made the supreme sacrifice in defense of liberty and democracy.

Americans are deeply grateful for Canada's staunch support and firm commitment to the war against terrorism. The friendship of the Canadian people has helped America through her own dark hours. I hope that our friendship and support will help the people of Canada through this dreadful event.

We should do all we can to improve the safety of coalition troops in Afghanistan. I strongly favor the conduct of a thorough and timely investigation to determine how this terrible accident occurred in Afghanistan. Casualties due to friendly fire have been called the "unfortunate part of war." We should do whatever it takes to prevent these tragedies and to eliminate this most unfortunate part of war. Even though war is always unpredictable, Canadians and Americans want to know what the exact circumstances were that led to the deaths of these capable and brave soldiers, so other incidents like this one can be averted in the future.

I extend my condolences to the victims' families in Canada, and I express my support to Canadians in this difficult time. I offer my sorrow and sympathy to the Government and people of Canada for this shocking tragedy and truly regret the events that led to the deaths of these fine men.

Mr. BEREUTER. Madam Speaker, this Member rises to express his support for H. Res. 412, a bill expressing the House's regret and sympathy to the families of the four Canadian soldiers who lost their lives and the eight Canadian soldiers who were wounded on April 17, 2002, in a "friendly-fire" mistake in southern Afghanistan. Additionally, this Member would like to express his appreciation for the efforts of the very distinguished gentleman from New York (Mr. HOUGHTON) in drafting this legislation.

Madam Speaker, Canada is a steadfast ally and true friend of the United States. In October 2001, less than one month after the horrific and unspeakable terrorist attacks of September 11th, Ottawa, Canada, served as the host city for the fall meetings of the North Atlantic Treaty Organization Parliamentary Assembly (NATO PA). As leader of the House Delegation to the NATO PA, this Member was very grateful for the unwavering support offered by the Canadian parliamentarians to the U.S. for the war on terrorism. Despite their recognition of the dangers involved in sending their armed forces to assist with the war, the Canadians were the strongest supporters of the assembly's endorsement of the use of force against the terrorists and were willing to contribute troops for missions in Afghanistan.

Indeed, the loss of four Canadian soldiers who were killed by a bomb from an American F-16 aircraft in a friendly-fire mistake is a tragic loss which the U.S. and Canada, as steadfast neighbors and true allies, mourn together. Last week, this Member and many of his colleagues were able to express their personal condolences to the Honorable Peter Milliken, the Speaker of the House of Commons of Canada. It is fitting that this body,

through this resolution, expresses its condolences to the families of the Canadian families who lost their loved ones in the tragic incident.

Madam Speaker, this Member encourages his colleagues to vote for H. Res. 412.

Mr. HYDE. Madam Speaker, I rise today in support of H. Res. 412 of offer my deepest condolences to all Canadians, especially the families and friends of Sergeant Marc D. Leger, Corporal Ainsworth Dyer, Private Richard A. Green, and Private Nathan Smith, who gave their lives in the service of defending freedom and security in Operation Enduring Freedom on April 17, 2002, in Afghanistan.

Eight other servicemen were also wounded in this incident. This tragic accident reminds us that our coalition partners remain willing to send their men and women in uniform in harm's way so that our freedoms may prevail. These Canadians have made the ultimate sacrifice on behalf of all peace-loving people, and my prayers are with their families and loved ones during this difficult time.

After America was so brutally attacked, I addressed the House of Representatives during consideration of H.J. Res. 61, which expressed the sense of the House of Representatives and Senate regarding the assault. I quoted Winston Churchill, whose words are just as salient today as they were then. He wrote, "Civilization will not last, freedom will not survive, peace will not be kept, unless a very large majority of mankind unite together to defend them."

Canada has always been our country's closest ally and friend. Since the terrorist attacks on September 11th, she has offered her steadfast loyalty and support in defense of the values that define and unite us. Canada's leadership during this trying time is invaluable to the American people. We will continue our common defense in unity to defeat the enemy who wishes to destroy freedom.

May God bless Canada and her fallen soldiers who served her with such courage and dignity. We indeed are a safer Nation because of these soldiers and those who continue to serve in our Nations' Armed Forces.

I want to commend my colleague from New York, Mr. HOUGHTON, for this important expression of sympathy. I urge my colleagues to support this passage. Canada shall remain our closest ally and friend.

Mr. LANTOS. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

Mr. HOUGHTON. Madam Speaker, I have no further requests for time, and I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. EMERSON). The question is on the motion offered by the gentleman from New York (Mr. HOUGHTON) that the House suspend the rules and agree to the resolution, H. Res. 412.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the resolution was agreed to.

A motion to reconsider was laid on the table.

PERIODIC REPORT ON THE NATIONAL EMERGENCY WITH RESPECT TO SUDAN—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 107-209)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on International Relations and ordered to be printed:

*To the Congress of the United States:*

As required by section 401(c) of the National Emergencies Act, 50 U.S.C. 1641(c), and section 204(c) of the International Emergency Economic Powers Act (IEEPA), 50 U.S.C. 1703(c), I am providing herewith a 6-month periodic report prepared by my administration on the national emergency with respect to Sudan that was declared in Executive Order 13067 of November 3, 1997.

GEORGE W. BUSH.

THE WHITE HOUSE, May 7, 2002.

#### COMMUNICATION FROM CHAIRMAN, COMMITTEE ON ENERGY AND COMMERCE

The SPEAKER pro tempore laid before the House the following communication from the Honorable W.J. "BILLY" TAUZIN, Chairman, Committee on Energy and Commerce.

U.S. HOUSE OF REPRESENTATIVES,  
COMMITTEE ON ENERGY AND COMMERCE,

Washington, DC, May 3, 2002.

Hon. J. DENNIS HASTERT,  
Speaker, U.S. House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: This is to formally notify you, pursuant to Rule VIII of the Rules of the House, that I have determined that a subpoena for documents issued from the United States District Court for the Southern District of Texas to the Committee on Energy and Commerce is not consistent with the privileges and rights of the House. Accordingly, I have instructed the Office of General Counsel to move to quash the subpoena.

Sincerely,

W.J. "BILLY" TAUZIN,  
Chairman.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until approximately 5 p.m.

Accordingly (at 3 o'clock and 50 minutes p.m.), the House stood in recess until approximately 5 p.m.

□ 1700

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mrs. BIGGERT) at 5 p.m.

#### AUCTION REFORM ACT OF 2002

Mr. UPTON. Madam Speaker, I move to suspend the rules and pass the bill

(H.R. 4560) to eliminate the deadlines for spectrum auctions of spectrum previously allocated to television broadcasting, as amended.

The Clerk read as follows:

H.R. 4560

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

# SECTION 1. SHORT TITLE.

This Act may be cited as the "Auction Reform Act of 2002".

# SEC. 2. FINDINGS.

The Congress finds the following:

(1) Circumstances in the telecommunications market have changed dramatically since the auctioning of spectrum in the 700 megahertz band was originally mandated by Congress in 1997, raising serious questions as to whether the original deadlines, or the subsequent revision of the deadlines, are consistent with sound telecommunications policy and spectrum management principles.

(2) No comprehensive plan yet exists for allocating additional spectrum for third-generation wireless and other advanced communications services. The Federal Communications Commission should have the flexibility to auction frequencies in the 700 megahertz band for such purposes.

(3) The study being conducted by the National Telecommunications and Information Administration in consultation with the Department of Defense to determine whether the Department of Defense can share or relinquish additional spectrum for third-generation wireless and other advanced communications services will not be completed until after the June 19th auction date for the upper 700 megahertz band, and long after the applications must be filed to participate in the auction, thereby creating further uncertainty as to whether the frequencies in the 700 megahertz band will be put to their highest and best use for the benefit of consumers.

(4) The Federal Communications Commission is also in the process of determining how to resolve the interference problems that exist in the 800 megahertz band, especially for public safety. One option being considered for the 800 megahertz band would involve the 700 megahertz band. The Commission should not hold the 700 megahertz auction before the 800 megahertz interference issues are resolved or a tenable plan has been conceived.

(5) The 700 megahertz band is currently occupied by television broadcasters, and will be so until the transfer to digital television is completed. This situation creates a tremendous amount of uncertainty concerning when the spectrum will be available and reduces the value placed on the spectrum by potential bidders. The encumbrance of the 700 megahertz band reduces both the amount of money that the auction would be likely to produce and the probability that the spectrum would be purchased by the entities that valued the spectrum the most and would put the spectrum to its most productive use.

(6) The Commission's rules governing voluntary mechanisms for vacating the 700 megahertz band by broadcast stations—

(A) produced no certainty that the band would be available for advanced mobile communications services, public safety operations, or other wireless services any earlier than the existing statutory framework provides; and

(B) should advance the transition of digital television and must not result in the unjust enrichment of any incumbent licensee.

# SEC. 3. REPEAL OF DEADLINES FOR SPECTRUM AUCTIONS.

(a) COMMUNICATIONS ACT OF 1934.—Section 309(j)(14)(C)(ii) of the Communications Act of

1934 (47 U.S.C. 309(j)(14)(C)(ii)) is amended by striking the second sentence.

(b) BALANCED BUDGET ACT OF 1997.—Section 3007 of the Balanced Budget Act of 1997 (111 Stat. 269) is amended by adding at the end the following new sentence: "This section shall not apply to the band of frequencies between 698 and 806 megahertz, inclusive."

(c) CONSOLIDATED APPROPRIATIONS ACT.—Paragraphs (2) and (3) of section 213(a) of H.R. 3425 of the 106th Congress, as enacted into law by section 1000(a)(5) of an Act making consolidated appropriations for the fiscal year ending September 30, 2000, and for other purposes (Public Law 106-113; 113 Stat. 1501A-295), are repealed.

# SEC. 4. TERMINATION OF SCHEDULED AUCTIONS.

(a) TERMINATION.—The Federal Communications Commission shall not commence or conduct auctions 31 and 44 on June 19, 2002, as specified in the public notices of March 19, 2002, and March 20, 2002 (DA 02-659 and DA 02-563).

(b) REPORT.—Within one year after the date of enactment of this Act, the Commission shall submit a report to the Congress—

(1) specifying when the Commission intends to reschedule auctions 31 and 44; and

(2) describing the progress made by the Commission in the digital television transition and in the assignment and allocation of additional spectrum for advanced mobile communications services that warrants the scheduling of such auctions.

# SEC. 5. COMPLIANCE WITH AUCTION AUTHORITY.

The Federal Communications Commission shall conduct rescheduled auctions 31 and 44 prior to the expiration of the auction authority under section 309(j)(11) of the Communications Act of 1934 (47 U.S.C. 309(j)(11)).

# SEC. 6. PRESERVATION OF BROADCASTER OBLIGATIONS.

Nothing in this Act shall be construed to relieve television broadcast station licensees of the obligation to complete the digital television service conversion as required by section 309(j)(14) of the Communications Act of 1934 (47 U.S.C. 309(j)(14)).

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Michigan (Mr. UPTON) and the gentleman from Massachusetts (Mr. MARKEY) each will control 20 minutes.

The Chair recognizes the gentleman from Michigan (Mr. UPTON).

## GENERAL LEAVE

Mr. UPTON. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks on this legislation and to insert extraneous material on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. UPTON. Madam Speaker, I yield myself such time as I may consume.

The Auction Reform Act of 2002 will eliminate the statutory deadlines that have prompted the FCC to schedule auctions in June for spectrum in the 700 megahertz band currently occupied by television broadcasters.

This legislation should not be necessary to stop the FCC from conducting the auctions in June. The FCC currently has the authority to delay these auctions and should do so on its own, many of us believe, but in addition to asking the FCC to use its own

authority to delay the auctions, 52 members of the Committee on Energy and Commerce introduced this legislation to remove the deadlines from the statutes. Madam Speaker, I am delighted to report that the bill was passed by voice vote by the Committee on Energy and Commerce just last week.

It is true that the auction of the upper portion of the 700 megahertz band has been delayed five times, but, Madam Speaker, conducting the auctions for both the upper and lower parts of the 700 megahertz band in June would be bad telecommunications policy and bad spectrum policy. These auctions should not go forward.

Let me address some of the reasons why these auctions should not take place.

One, no comprehensive plan exists for allocating additional spectrum for third generation wireless and other advanced mobile communications services. The 700 megahertz band may prove to be the commercial mobile wireless commercial industry's only viable option for obtaining additional spectrum for advanced mobile communications services if spectrum from other bands below 3 gigahertz is not allocated for such purposes.

Two, the study being conducted by the National Telecommunications and Information Administration, NTIA, and the Pentagon to determine whether the Pentagon can share or relinquish additional spectrum for third generation wireless and other advanced mobile communications services will not be completed until after the June 19 auction date for the upper 700 megahertz band and long after the applications must be filed to participate in the auction.

Third, it is difficult for wireless carriers to make sound business decisions concerning what options are available for spectrum for third generation and other advanced mobile communications services until the NTIA/Pentagon report has been released and then evaluated.

Fourth, the Commission is also in the process of determining how to resolve the interference problems that exist in the 800 megahertz band, especially for public safety. One option being considered for the 800 megahertz band would involve the 700 megahertz band. The Commission should not hold the 700 megahertz auction before the 800 megahertz interference issues are resolved or a viable plan has been approved.

Next, the 700 megahertz band is still occupied by TV broadcasters and will be so until the digital transition is complete. This situation creates a tremendous amount of uncertainty concerning when the spectrum will be available and reduces the value placed on the spectrum by potential bidders. The encumbrance of the 700 megahertz band reduces both the amount of money that the auction would be likely to produce and the probability that the

spectrum would be purchased by the entities that valued the spectrum the most and would put the spectrum to its most productive use.

Last, Madam Speaker, the Commission's rules governing voluntary mechanisms for the vacation of the 700 megahertz band by the broadcasters produced no certainty that the band would be available for advanced mobile communications services, public safety operations and other purposes any earlier than the existing statutory framework provides.

Madam Speaker, the FCC and the administration clearly have a lot of work to do with respect to allocating and assigning additional spectrum for advanced mobile communications services and with respect to speeding the transition to digital TV. Until more progress is made in these areas, the 700 megahertz band auction simply should not occur.

The FCC should use its own authority to delay these auctions, and we are making clear that holding the auctions within the FCC's designated time frame is contrary to both sound regulatory policy and contrary to the Communications Act.

Madam Speaker, I reserve the balance of my time.

Mr. MARKEY. Madam Speaker, I yield myself as much time as I may consume.

I do so in order to compliment the gentleman from Michigan (Mr. UPTON) for his excellent work on this legislation, along with the gentleman from Louisiana (Mr. TAUZIN), the chairman, and the gentleman from Michigan (Mr. DINGELL), the ranking member.

This legislation has very broad based support across party lines, across ideological lines. It is a critical piece of legislation to pass.

Madam Speaker, the reason that we are here today is to take action to correct a mess that Congress created in 1997, when Congress and the Clinton administration used illusory spectrum revenues to cook the books when it enacted the flawed 1997 Balanced Budget Act. Simply put, the Clinton OMB and Congressional budget scorekeepers put the cart before the horse.

The 1997 proposal required the FCC to auction off the airwave frequencies occupied by television channels 52 to 69 many years before those airwave channels were due to be clear of those incumbent broadcasters, and the 1997 law contained no provisions to assure would-be bidders or taxpaying consumers that the digital TV transition would be timely and successful.

Instead, the budgeteers simply assumed that everything would work out and pushed for auctions on a calendar date convenient for scoring purposes of all the revenue that would come in from holding the auction. Forget about telecommunications policy, though.

Today we know that the digital TV transition is woefully off schedule. The current FCC policy for clearing out the broadcast television spectrum in the

area of 52 to 69 channels on our dial seems to be to simply sell off the frequencies and then authorize unseemly windfall profits to the lucky incumbents who, having gotten digital television spectrum for free, only elect to vacate their old analog channels for a price paid to them by auction winners.

Under this policy, the term "auction winner" may well be an oxymoron. What one wins by being the highest bidder in this auction is the right to be subjected to a high tech hold-up by the incumbent broadcaster who will not move unless paid. To make this FCC policy even worse is that when that broadcaster agrees to vacate the area for a handsome fee, the broadcaster may not even broadcast in digital format on its so-called digital pair, the digital spectrum which they have. It may obtain FCC permission to continue analog broadcasting, the same broadcasting we have had since 1948. We will just continue to see the highlights of the first 75 years of NBC broadcasting for the next 75 years and the same television channels with no new digital technology.

I think this whole notion offends most people's sensibility, and I think it underscores the fact that the Commission needs additional time to rethink its mission in this area.

Moreover, we also do not have anything remotely resembling an overarching spectrum plan to address key policy goals, such as fostering a more competitive wireless policy or enhancing public safety needs. We do not yet have a policy to promote new wireless services such as third generation, or 3G, mobile services or other innovative new wireless technologies and services for broadband connections of video applications.

The reality today is that our lack of progress in accelerating the digital television transition is holding two revolutions in check, both the interactive digital television market, which all Americans are waiting for, that inexpensive digital television set costing \$300, \$400 that they have been promised for 20 years, still not affordable to the average American family, still being denied to them by these terrible policies, and advancing the wireless market; that is, the two-way wrist TV that Dick Tracy and his cartoonist Chester Gould promised us in 1960. That still is not possible because we do not have a spectrum policy, and it really is turning into a telecommunications disaster. Disaster.

The utter failure to follow through effectively on the industrial policy we started when we gave the broadcast industry an extra 6 megahertz each, each, for the transition to digital technology means that we are literally holding back the future. No digital television and no third generation wireless. Unbelievable for a country which is supposed to be the leader in new technology.

We are now paralyzed as a Nation. We are stifling innovation. We are

stunting growth and we are needlessly depressing the entire high tech sector of the American economy. We must free up this spectrum but in a way in which we know it is going to be used, both for digital TV and in the wireless area.

It is time to put the telecom policy horse in front of the auction cart. Today, we will pass legislation that wisely deletes the budget-mandated auction dates in the law and requires a report to Congress describing the progress made by the Commission in speeding the digital television transition, as well as identifying slices of spectrum for advanced wireless services, including mobile services such as 3G.

Again, I want to compliment the gentleman from Michigan (Mr. UPTON), along with the gentleman from Louisiana (Mr. TAUZIN) and the gentleman from Michigan (Mr. DINGELL) and all the members of our committee who are working together now on a policy that hopefully will now free up this spectrum. Unless the Federal Communications Commission begins to listen to us, unless the Bush administration starts to listen to us, then unfortunately all we are going to do is continue to repeat the mistakes that were made during the Clinton administration, and I am just afraid that we are not going to see this high tech sector, this telecommunications sector, this NASDAQ sector get off its back unless the Bush administration puts in place a set of policies that gives incentives to hundreds of companies and entrepreneurs across the country to once again invest in this high tech sector.

Madam Speaker, I reserve the balance of my time.

Mr. UPTON. Madam Speaker, I yield myself such time as I may consume.

I would just note that I am convinced that the Bush administration does not want to repeat the mistakes of the Clinton administration. I look forward to working with the gentleman as we deal with this issue in the future.

Mr. MARKEY. Madam Speaker, I yield myself such time as I may consume.

Up to this point there is no evidence that can convict the Bush administration of not repeating the same mistakes as the Clinton administration. The only problem is that this high tech boom ended in 2000 and that millions of Americans are now waiting for the next generation of technologies, and unless the policy is forthcoming from the Bush administration, I am afraid we could go through this entire decade and not see a revival.

I think that is a very dangerous prospect, and I am hoping today, on a bipartisan basis, we can send a message to the Bush administration that they can put together a comprehensive policy.

Madam Speaker, I yield back the balance of my time.

Mr. UPTON. Madam Speaker, I yield myself such time as I may consume.

I would just like to reiterate that Secretary Evans very strongly supports this legislation. We expect the President to sign it should we get it through the other body.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Michigan (Mr. UPTON) that the House suspend the rules and pass the bill, H.R. 4560, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

□ 1715

#### SENSE OF CONGRESS REGARDING PUBLIC AWARENESS OF THE IMPORTANCE OF HEALTH CARE EDUCATION AND HEALTH CARE COVERAGE MONTH

Mrs. WILSON of New Mexico. Madam Speaker, I move to suspend the rules and agree to the concurrent resolution (H. Con. Res. 271) expressing the sense of the Congress that public awareness and education about the importance of health care coverage is of the utmost priority and that a National Importance of Health Care Coverage Month should be established to promote these goals.

The Clerk read as follows:

H. CON. RES. 271

Whereas census estimates indicate that some 42 million Americans are without health insurance coverage, many of whom are among the most vulnerable of American citizens who can be financially devastated by serious illness, disease, or accident;

Whereas studies have shown that people with health insurance are healthier than those who are uninsured and receive care through emergency rooms or safety net health care services, because the insured are entitled to, and receive, more preventive care, follow-up care, and care for chronic conditions such as diabetes and high blood pressure;

Whereas over 17.3 million of the uninsured are employed, but are not offered health insurance through their employers;

Whereas such employers are small business owners who are often unaware of the benefits of offering insurance, including the fact that it is tax deductible, that it helps to reduce employee turnover, and that it helps to reduce employee sick days;

Whereas over 16 million people, more than one-third of the uninsured, are in families where at least one member of the family has been offered employer based health care coverage but has turned it down;

Whereas many citizens are eligible for public assistance programs such as the State Children's Health Insurance Program, known as SCHIP, and the Medicaid program, but are not currently enrolled due primarily to lack of outreach, education, and accessible enrollment processes;

Whereas studies have shown that many citizens and small businesses are unaware of

the various options they have for obtaining affordable health care coverage;

Whereas surveys have shown that many individuals who cite expense as the reason for not purchasing insurance find it to be affordable once they are informed of the true cost of various options; and

Whereas education about health care coverage helps uninsured citizens and employers to understand the critical value of health insurance as a preventive measure, as well as the ways to keep their health insurance premiums manageable once they have health care coverage: Now, therefore, be it

*Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that—*

(1) a National Importance of Health Care Coverage Month should be established to promote a multifaceted educational effort about the importance of health care coverage, and to increase awareness of the many available health care coverage options, and should include efforts to inform those eligible for public insurance programs of how to access those programs; and

(2) the President should issue a proclamation calling on the Federal Government, States, localities, citizens, and businesses of the United States to conduct appropriate programs, fairs, ceremonies, and activities to promote this educational effort.

The SPEAKER pro tempore (Mrs. BIGGERT). Pursuant to the rule, the gentlewoman from New Mexico (Mrs. WILSON) and the gentleman from Ohio (Mr. BROWN) each will control 20 minutes.

The Chair recognizes the gentlewoman from New Mexico (Mrs. WILSON).

#### GENERAL LEAVE

Mrs. WILSON of New Mexico. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on the legislation now under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentlewoman from New Mexico?

There was no objection.

Mrs. WILSON of New Mexico. Madam Speaker, I yield myself such time as I may consume.

There are more than 40 million people in America who do not have health insurance who are part of the workforce, despite widespread private insurance plans, as well as public availability of different kinds of programs in health insurance. These are the same people who are very likely to forego services like periodic checkups and preventive services and immunizations for their kids. They delay going to get health care. And, later, these same people show up in our health care systems with very acute conditions requiring costly medical attention and conditions that may have been entirely preventable with early detection.

Uninsured people are hospitalized at least 50 percent more often than the insured are for what are called avoidable hospital conditions, like pneumonia. They wait until the pneumonia gets so

bad and they are so sick that they have to go to the emergency room when, if they went earlier, they could have been put on a course of antibiotics and there could have been treatment without hospitalization. They are also much more likely to be diagnosed with late-stage cancer than those with insurance are. People who are uninsured delay going to the doctor until it is too late.

Uninsured adults are four times more likely and children five times more likely to use the emergency room compared with the insured. People who have insurance have a primary care doctor. When they get sick, they make an appointment, or they go to the walk-in care clinic where their doctor has told them to go. Those who are uninsured wait and show up in our Nation's emergency rooms.

The costs for the uninsured are absorbed by the community as a whole, either through public programs, through our disproportionate share hospital program, or through increases in health insurance costs for those who do have insurance. So we do bear the cost as a community. Care is not denied to people, but it is not offered in the most efficient way and it is certainly not offered in the best way for those who lack health insurance.

Now, I am not really big on just hortatory resolutions. That is not my thing. At the same time, I saw some evidence recently that really shocked me and that caused me to bring forward this resolution today. I do not like things that are just symbolic, but I do believe America needs an education campaign to inform small businesses, even some medium- and large-sized businesses, employees, and parents about how to get health insurance.

There was a recent study by the Employees Benefit Research Institute that said that 57 percent of small businesses did not know that health insurance is tax-deductible. In other words, if a small business owner, and these businesses employ most of the people in this country, if they do not know that they can provide health insurance to their employees and the cost of that is an expense, a legitimate business expense, they are going to be less likely to look for a plan to be able to offer to their employees. So it told me that education is necessary, and that maybe the Congress could do something about it and make insurance more affordable and more available to employees in this country.

Over one-third of the uninsured are in families where coverage is offered by an employer and they declined the insurance. Sometimes it is because the premiums or the co-pays are too high,

but sometimes education can overcome that reluctance to sign up for health insurance because it mitigates the risks and makes health coverage or health care more available for people.

There are many parents who are eligible, whose children are eligible, for what is called the State Children's Health Insurance Program that was passed by the Congress in 1997, but they do not know that they are eligible. As a result, we have 8 million children in this country who are eligible for health insurance who are not enrolled in that program, and that program is low-cost or no cost to the parents. We need to get the word out to parents that health insurance is available to them through a publicly supported program for their children so that their children can get the preventive care that they need.

We need to educate small business leaders. We need to educate the workforce. We need to educate parents so that we can increase the access to health care and increase the number of people who are insured in this country. I believe that Congress can play a role in educating our constituents.

We need to ensure that small businesses understand that there is a way to provide health insurance and deduct the cost from the cost of doing business. We need to educate them on how to set up cafeteria plans, which can be a nightmare for small businesses, but there are easy programs to do that. We need to get the information out there so that employees can set up plans to be able to use pretax dollars to pay for health costs, which is entirely allowable under the Federal Tax Code.

Children and the uninsured individuals need to find out about the importance of health care coverage and the existing tax benefits and public and private programs that are available for parents that they are eligible for and should go ahead and register for.

This resolution that we are discussing, and I hope will pass today, will call on the President to designate October as National Importance of Health Care Coverage Month, and increase awareness about the importance of health coverage and the ways to obtain it.

Madam Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, I share the view of the gentlewoman from New Mexico (Mrs. WILSON) that health insurance is important, that education and outreach are also important. But if I poll people in my district who are uninsured, I am pretty sure they would say it is actually Members of Congress who need education. The uninsured in my district know that going without health insurance is a bad idea. Most of them did not choose that; it is either not available or it is too expensive. Small business knows that sponsoring health insurance for their employees is a good idea. They still cannot afford it.

The resolution of the gentlewoman from New Mexico says that public awareness and education about the importance of health insurance coverage is of the utmost importance. Our utmost priority should be to make sure Americans actually have access to health coverage. Instead, we sit idle in this body as existing health coverage erodes in the United States.

State Medicaid programs throughout the country are in the red. Several States seriously are considering scaling back Medicaid programs. Congress has looked at legislation to provide temporary assistance to States so they can maintain their Medicaid programs. Congress has looked at proposals to help unemployed workers weather the economic downturn without losing their health coverage. Congress has looked at plans to prevent a dip in funding for the Children's Health Insurance Program that will leave 300,000 children without coverage. But have we taken action on any of these fronts? No.

It is a math question: If you drain the budget surplus into tax cuts for the wealthiest people in the country and tax cuts for Enron and IBM and General Motors, the dollars simply are not there to help sustain existing health coverage, much less expand access. So we pass resolutions and do nothing because we do not have the money to do it.

Promoting outreach to inform people about Medicare and the Children's Health Insurance Program, but looking the other way as Medicaid and SCHIP programs throughout this country are put on the chopping block, rings a bit hollow under these circumstances. And by the way, Medicaid and SCHIP insure 1 out of 5 children in this country. If we care about health insurance, we should care less about resolutions like this but more about these programs.

When we consider that this Congress has done nothing, nothing to expand or even to preserve access to health insurance, nothing unless you count these empty resolutions, these resolutions say this to the public: Congress cares deeply about your situation. We really do. We are not going to lift a finger to help you, but drop us a line and let us know how things turn out, because we are really interested.

The House Republican prescription drug and Medicare privatization plan sends the same message. It says to seniors: We really do care. We really do. But, unfortunately, it is not you whom we care about. We are offering up a prescription drug plan, Republicans tell us, that will not protect you from high drug cost; the truth is it is not even workable, because we prioritized tax cuts for the richest Americans and the largest corporations ahead of you and now we cannot afford to add even a decent drug benefit to Medicare.

That is why we saw the histrionics last week from Republican leaders proposing some phony kind of prescription drug benefit. I am sure many of the

same Members of Congress who recently eliminated another \$374 billion from the Federal budget by making permanent the tax cuts that go overwhelmingly to the richest Americans, dollars that could have been used to find a real solution to prescription drug needs, dollars that could have been used to expand or at least preserve access to health insurance, I am sure many of those same Members who voted to make the tax cut permanent, who made a tax cut permanent so we cannot afford prescription drug coverage, we cannot afford access for children to health care, those same Members that voted to make that tax cut permanent will also vote today to promote National Importance of Health Care Month. They might send out a news release, they might go home and brag about how they are interested in expanding health care to children and taking care of a prescription drug benefit. But on behalf of the millions of uninsured, the millions of underinsured, the millions who do not have prescription drug benefits, and the millions of Americans that the House Republican leadership leaves in the dust when you voted for tax cuts, I would like to say, thanks for nothing.

Madam Speaker, I reserve the balance of my time.

Mrs. WILSON of New Mexico. Madam Speaker, I yield myself such time as I may consume.

I thank the gentleman from Ohio for his remarks. We have worked together on a variety of things related to health care, and on this one we may agree on the resolution but we disagree on some facts, and I think they are important facts.

The gentleman from Ohio and I serve on the same committee that extended the SCHIP program last year and allowed States to retain the funds in the SCHIP program longer than they were authorized without returning them to the Federal Government and having them redistributed. I think that was the right thing to do. It certainly was right for my State of New Mexico.

This House passed three times the extension of health care benefits to the unemployed who are out of work through no fault of their own and the extension of unemployment benefits to cover those people.

This House has passed and now we are in conference with the Senate on a patient's bill of rights. And in that patient's bill of rights we did some other things for health care, including making self-employed health care coverage fully deductible. If you work for IBM, IBM can take the full cost of that premium and write it off as an expense for a business. But if you are self-employed, under the current tax system you cannot. That is not right. This country thrives on small business. And people who start up their own companies and who are self-employed should be able to fully deduct their health care costs.

That bill also included the association health plans provision, to extend

health care coverage and get more people insurance.

The gentleman and I also work on the committee that is getting down to brass tacks now to implement the budget resolution that this House passed that sets aside \$350 billion over the next 10 years to add a prescription drug benefit to Medicare. If we were starting out today with a clean sheet of paper for health care for senior citizens, no one in their right mind would exclude prescription drugs. But back in 1965, medicine was only 1 percent of the cost of health care. Now it is up to 15 percent of the cost of health care. People should not have to be forced to choose between buying medicine and buying groceries, but that is the situation a lot of the seniors in my district are in today. And that is why we are going to pass a bill through this House that adds a prescription drug benefit to Medicare.

My colleague and I disagree also about the importance of tax relief last summer. And I think the big thing for me is this: The Council on Economic Advisers about 3 months ago came out with a report on the impact of that tax relief. Now, Congress does not always do things at the right time. We usually end up taking action long after the problem is over.

□ 1730

But on the tax bill we got it right. It was just in the nick of time, and there are 800,000 Americans today who have jobs because we passed tax relief at the right time to get this economy back to growing jobs and back to solid economic growth. That is what the tax relief bill did. It got our economy back and growing.

The gentleman from Ohio (Mr. BROWN) and I share a concern about the uninsured. I think education is a piece of it. It is not a cure-all. We have a lot of other work to do, but I am proud of this House that we have done so much work in this session of Congress.

Madam Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Madam Speaker, I yield 2 minutes to the gentleman from New Jersey (Mr. PALLONE), who understands, unlike the Republican leadership, that we must do something about prescription drug prices.

Mr. PALLONE. Madam Speaker, the biggest problem with lack of coverage today is prescription drugs. As the gentleman from Ohio mentioned, the Republican leadership is not doing anything about the cost. The biggest concern that my constituents tell me is that they cannot afford the price of drugs. What is the Republican leadership doing about it? Absolutely nothing. Their proposal to address the prescription drug issue is simply a sham.

First of all, it is not under Medicare. Medicare needs to be expanded so that everyone who is eligible for Medicare gets a prescription drug benefit guaranteed, and they know what the benefit is. What the Republican leadership

is saying is we are going to send some money out to private insurance companies or to the States, and we hope that Americans can take this voucher, and if they are low income, they can find some insurance company to give a drugs-only policy to cover prescription drugs. They are assuming that the only people that are going to be able to take advantage of it are very low-income people, about 6 percent of the senior population. And even those will not be able to take advantage because the insurance companies have said they will not sell these prescription drug medicine-only policies.

Madam Speaker, what we need is to expand Medicare for all seniors so they all get a prescription drug benefit, and it has to be a generous benefit. It has to say if someone pays so much per month as a premium, like one does with their doctor bills, they get a guarantee from the Federal Government that it is going to bring their cost down so they can pay for their drugs. That is not what the Republicans are offering.

They are doing another sham, like they did 2 years ago, where they are trying to throw some money out there and give the impression that somebody is going to get a prescription drug benefit. It is a joke on the American people. But going back to the main thing is cost. Everyone tells me they cannot afford to pay for the drugs.

What the Democrats are saying is not only are we going to give a generous benefit guaranteed under Medicare, but we are going to have the Secretary make sure that the costs come down.

Mrs. WILSON of New Mexico. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, this a resolution that we are debating about the importance of health care coverage for the uninsured.

The gentleman from New Jersey (Mr. PALLONE) mentioned where we are going on prescription drug coverage, and it is amazing to me. I serve on the Leadership Task Force on Prescription Drugs, and the gentleman from Ohio (Mr. BROWN) and I serve on the Subcommittee on Health that is working on the bill. We have set aside \$350 billion over the next 10 years to add a prescription drug benefit to Medicare. We are trying to work out the details of that plan and that option.

First of all, it has to be part of Medicare. Everyone agrees on that. It has to be part of the Medicare program. And everyone who is eligible for Medicare has to have some access to that coverage.

I think it has to be voluntary so Americans who have coverage from an employer, or veterans and get it through the VA, they should not be forced to participate. It has to be affordable. That means we have to make sure that those who are low income or those with high drug costs get the most help from the Federal Government. A

\$350 billion commitment over 10 years is a significant contribution by the Federal Government to provide that coverage.

I think it also needs to provide choices. What the gentleman from New Jersey (Mr. PALLONE) needs for his constituents in New Jersey may not be the same thing that my constituents need, or that we need in rural places in New Mexico. I like to get my medicine downstairs at the pharmacy in the building where I see my doctor. Rural Americans may want a mail order plan. Americans should have options, and those are some of the principles we are working from.

We are determined to bring to the floor a prescription drug benefit plan added to Medicare before the Memorial Day recess. In the last Congress, the House passed a bill to do so. The Senate did not. We are determined to be persistent and keep going because the people in my district need it, just as the constituents of the gentleman from New Jersey (Mr. PALLONE) do. On that, we can agree.

Madam Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Madam Speaker, I yield 2 minutes to the gentleman from California (Mr. GEORGE MILLER).

(Mr. GEORGE MILLER of California asked and was given permission to revise and extend his remarks.)

Mr. GEORGE MILLER of California. Madam Speaker, I appreciate the opening statement of the gentleman from Ohio (Mr. BROWN). The American people appreciate the importance of health care. Families struggle every day with whether or not coverage is accessible to them. There was no great glee in the land when they killed the Clinton health care plan. We had 38 million uninsured people, and we now have 42 million uninsured people. In spite of the recitation that the gentlewoman from New Mexico (Mrs. WILSON) cites, we still have 42 million people who are uninsured.

Why? Because we have created a hodgepodge of programs where they have to be a detective to figure out whether or not they are eligible. They move and lose programs, their children move and lose programs, whether they are employed, not employed, whether in school, out of school, whether on or off of Medicaid, all of these programs. They spend all of their time worrying about eligibility, and they are covered for very little period of time.

The gentlewoman has also suggested that this is part of a grander plan to bring a \$350 billion prescription drug program to the floor. That is not it at all. \$350 billion is for everything they say that they want to do in Medicare. The program is less than half that amount, which has been proven to be inadequate to provide a prescription drug benefit that is useful without the people on Medicare paying out thousands and thousands of dollars before they get any real advantage to the program.



So the question here is not whether or not people think health care coverage is important or not. The question is, What is the Congress going to do about it? What is Congress going to do about these 42 million Americans? What is Congress going to do about the children who are growing up in families where at least one person is employed, and in many cases both are employed, and they do not have access to health care? The programs that we have put in place so far, while commendable, still leave millions of America's children and working people without insurance.

Yes, we have made it more deductible for small businesses and individuals; but the fact is that even small businesses and individuals cannot afford to provide the insurance that Americans need so desperately.

Mr. BROWN of Ohio. Madam Speaker, I yield 2 minutes to the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN).

Mrs. CHRISTENSEN. Madam Speaker, I rise to speak on H. Con. Res. 271. Approximately 42 million people in this country are without health insurance. Those with no coverage are more likely to be young adults, poor, Hispanic, African American, rural or small business employees. As chairperson of the Congressional Black Caucus Health Braintrust, but even more so as a family physician who practiced for 21 years before coming to Congress, I know what not having insurance coverage does to families and individuals. They delay or avoid care, most likely seeking care through emergency rooms which cannot provide for need continuity or safety net services which are often underfunded, understaffed, and underequipped. Not being insured is the seventh leading cause of death in this country, resulting in 83,000 deaths annually.

Although tonight we are focusing on insurance coverage, it is important to recognize that providing access to health care is more than providing insurance, but also insuring an adequate infrastructure for the uninsured or the newly insured to receive proper health care.

Madam Speaker, we must all support educating the public on all of the health care coverage options available, and make an extra effort to link those, but education is only half the battle. We as lawmakers must continue to work on passing legislation that will leave no individual without access to quality health care.

This includes lifting the cap on Medicaid for the offshore territories, providing a Medicare drug benefit, paying the doctors and other providers a fee that will allow us to keep our doors open, and passing a strong Patients' Bill of Rights. Most of all, it means committing to universal health care by 2004 to everybody in this country.

Mr. BROWN of Ohio. Madam Speaker, I yield 2 minutes to the gentleman from Arizona (Mr. PASTOR).

(Mr. PASTOR asked and was given permission to revise and extend his remarks.)

Mr. PASTOR. Madam Speaker, first of all, I thank the gentlewoman from New Mexico (Mrs. WILSON) for bringing this resolution to the floor. It is very important that we recognize the health needs of our community. I would tell the gentlewoman that I agree with her that education is very important. One of the problems that we have found in Arizona that, although many children are eligible for SCHIPs, there needs to be an outreach program. In Arizona we have found that the State legislature refuses to provide those monies that would go into those programs to make the families aware that SCHIPs is available and that their children probably qualify.

I would also agree with the gentlewoman that we need to address the health needs of our society. I would ask the gentlewoman to join those of us who believe that the 43 million people in this society, even though they are employed, even though they are working but are not covered by health insurance, maybe this Congress will see fit to provide a universal health care program in which all Americans would be entitled to quality and affordable health care.

During our district work periods, I have been visiting senior centers and also going door to door. They invite me in their homes or bring the prescriptions to the senior centers, and show me the number of medications that they have to take. Many times it is three or four medications that they take. They explain to me that the cost of the prescriptions are getting so high that they have to make difficult choices. Many times they are not taking the prescriptions as they should because they want to increase the number of days that the medication might be available to them.

I also, in asking them how they feel this prescription drug benefit ought to be covered, the majority tell me, because they are familiar with Medicare, they would like to see Medicare be the vehicle to provide the prescription drug benefit. To them choice is not as important; to them the availability of the drugs, the cost of the drugs being lesser so they could afford them, and in a system that they are aware of and know how it works, they would prefer that. I thank the gentlewoman for agreeing that maybe the prescription drug benefit should be a Medicare program.

Mr. BROWN of Ohio. Madam Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. DAVIS).

Mr. DAVIS of Illinois. Madam Speaker, I thank the gentleman for yielding me this time.

Madam Speaker, I share comments with all who have spoken for the need of health education and awareness. However, I do not agree that piecemeal in health care will ever get us to the point that we have the coverage that is necessary. Yes, we need a prescription

drug program. I agree with that. Yes, the children's health program is helping. But in reality what we really need is universal coverage for each and every American citizen. We need a health system where everybody is in, and nobody is out.

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We need a system that covers each and every person from the cradle to the grave. While we move towards that, piece by piece, ultimately we will come to the realization that we must have a system, everybody in, nobody out.

Mrs. WILSON of New Mexico. Madam Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Madam Speaker, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON-LEE).

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, I thank the gentleman for his kindness in yielding me this time and I do appreciate the work he has done on ensuring that all Americans can have good health care. I also thank the gentlewoman from New Mexico for giving us the opportunity to debate this very important issue on the floor of the House and for the support of such legislation and the bringing forward of such legislation.

It should be noted that we have an estimated 42 million Americans who are without health coverage. There are over 17 million Americans who are employed but lack health coverage through their employer. Due to the high cost of health care coverage, over 16 million Americans are in families where at least one member of the family has been offered employer-based health insurance but was forced to turn it down because of the high cost of that health insurance. This happens every day.

I note that the resolution specifically speaks to outreach and education. It also speaks to trying to impress upon small businesses the value of having health insurance to cut down on sick days of its employees and to encourage them to stay longer. It also speaks to the insurance provided by Medicaid for the State Children's Health Insurance Program. But I think we need to go further. I think we need to have a list of what we do not have and how Congress has failed the American public.

We do not have a prescription drug benefit for seniors through Medicare. We have not passed a Patients' Bill of Rights, therefore, giving access to individuals for good health care across the country. We have large numbers of children that are uninsured who have not yet had access to the Children's Health Insurance Program that was passed at least 4 years ago or more in the 1997 Budget Act. We have not done our job.

Though we can pass a resolution such as this that really has a good purpose, it is not a good result. We must work

together as Republicans and Democrats to ensure that those who we represent can have access to good health insurance and health coverage. I believe that the Democrats have a very valid and viable plan; that is, to pass a real Patients' Bill of Rights, a drug benefit for our seniors, and to ensure that we have the kind of funding to cover our children who are uninsured.

I want to voice my support for health care coverage for Americans who are uninsured. An estimated 42 million Americans are without health coverage. There are over 17 million Americans who are employed, but lack health coverage through their employer. Due to the high cost of health care coverage over 16 million Americans are in families where at least one member of the family has been offered employer-based health insurance, but was forced to turn it down because of the high cost.

This resolution helps to express the sense that I have that the Congress should establish and promote an educational effort about the importance of health care coverage, as well as increase awareness of the many affordable health care coverage options. This should include efforts to inform people who are eligible for public insurance programs about how they can obtain coverage under these programs.

The Tauzin-Bilirakis bill will go far in creating equity in health care coverage for all Americans. I believe that the President should issue a proclamation calling for the federal government, states, localities, citizens and businesses to conduct appropriate programs, fairs and activities to promote this educational effort.

However at the same time, it is imperative that the Congress doesn't just pass resolutions. We must act now to pass a prescription drug benefit for seniors, to fund children's health coverage, immunization and a real patient bill of rights—the Republican Congress has failed in these efforts.

Mrs. WILSON of New Mexico. Madam Speaker, I yield myself such time as I may consume. I thank my colleague from Texas for coming down and talking about this problem because it is an important one, but I would note that the House has passed a Patients' Bill of Rights and we also passed one the previous Congress. My State of New Mexico has a Patients' Bill of Rights at the State level. I have supported the Patients' Bill of Rights here in the House and I hope we are able to resolve the differences with the Senate and have a Federal Patients' Bill of Rights as well as a prescription drug benefit.

Madam Speaker, I reserve the balance of my time.

Mr. BROWN of Ohio. Mr. Speaker, I yield 1 additional minute to the gentlewoman from Texas (Ms. JACKSON-LEE).

Ms. JACKSON-LEE of Texas. Madam Speaker, I thank the gentleman for yielding me this time. In fact, I would just comment that I appreciate that the House has passed a Patients' Bill of Rights. My point was that we in Congress collectively have failed in the fact that the bill is not ready to be signed. It is not law.

I guess the other point, as I reclaim my time, is to simply say to the House

that, of course, the difficulty in the legislation was what was pulled out of it. It concerns me because it was a legislative initiative that first started that had all of the physicians in support of the baseline bill that provided open access to emergency rooms and holding HMOs responsible. I do not think we are at that point yet.

But I will say to the gentlewoman, yes, the House has passed legislation; I just believe we should move expeditiously through the normal processes so that we can get a bill that we all can be respectful of but, most importantly, that the American people can be served by to the President's desk.

Mr. BROWN of Ohio. Madam Speaker, I yield myself such time as I may consume.

There is a frustration in this House of Representatives as we have seen from this line of speakers, probably 10 people on the Democratic side, who care enough to show up on the House floor and talk about health care issues. There is a frustration that we have not passed a Patients' Bill of Rights. Granted the House passed it, but the fact is there is no Patients' Bill of Rights signed into law. There is a frustration that this House has not taken up the Medicare buy-in bill, a voluntary program, revenue neutral, that would allow 55- to 64-year-olds who have lost their health insurance through no fault of their own to go into the Medicare program.

There is a frustration in this House that we have done nothing except talk about a prescription drug benefit, nothing about a prescription drug benefit inside Medicare, nothing about prescription drug prices as the drug companies are the most profitable industry in America, enjoy the lowest tax rate in America, where American taxpayers pay half of the cost of research and development and the drug companies turn around and reward Americans by charging us more than people anywhere else on Earth.

There is a frustration in this House that we have not moved on children's health issues, that we simply have failed to reduce the number of children who lack health insurance.

But there is a bigger frustration from our constituents, a frustration embodied in the fact that every couple of months 50 people join me on a bus from my district from northeast Ohio to go to Canada to buy drugs at one-half or one-third or one-fourth the cost of prescription drugs in local drugstores because the drug companies simply charge Americans, not the pharmacies, but the drug companies simply charge Americans more than anywhere else. There is a bigger frustration from our constituents who have to cut their prescriptions, that have to cut the drugs that they are taking in half or take them every other day or do some other creative kind of ingestion of their drugs because it is simply that they are prescription drugs, simply because they want their prescription to last longer.

There is a frustration among our constituents who watch their children get ear infections and just wait and wait and wait because they do not have health care coverage, then they take them to the emergency room and they might lose their hearing.

There is a frustration among our constituents who have to choose to take their drugs instead of providing enough food or turning their heat up warm enough in the winter.

There is that frustration aimed at this Congress because we simply are not doing anything on the major issues. We are not taking care of children without health insurance, we are not taking care of prescription drug coverage for seniors, we are not taking care of people who are 55 or 58 or 60 years old whose factories closed, whether they are steelworkers or auto-workers or small business people or shop owners, who simply cannot afford their prescriptions and cannot afford their health care. That is the frustration.

This Congress passes a resolution, we will all say yes when you call this vote and we will all support it, but the fact is this Congress again on Tuesday afternoon comes in, people fly in from all over the country and we debate and vote on resolutions like this but we do not do anything on prescription drug coverage, we do not do anything on health insurance, we do not do anything on children's health, we do not do anything on any of these issues that matter to the American people.

Madam Speaker, I yield back the balance of my time.

Mrs. WILSON of New Mexico. Madam Speaker, I yield myself such time as I may consume. My colleague from Ohio and I share the same frustration. In some ways I think we have similar kinds of personalities. We are get-the-job-done kind of people. We came here to do things for the people we care about in our communities and we want to get it done. It is sometimes frustrating to do this job because it requires a national consensus, which we have obtained here in the House several times. But then we have to negotiate with the Senate. We have to get the President on board and do all of these things.

What amazes me is how much we have achieved over the last 5 years, even though challenges remain. In 1997, this Congress passed landmark legislation to extend health care coverage for children in partnership with States. Then my colleague from Ohio and I voted to extend that so that States could keep that additional funding. The frustration for me is that there are 8 million American children who are eligible for SCHIP whose parents have not enrolled them and they are not getting care. We have an education gap. That is what we are trying to address and remedy here today.

We have passed a Patients' Bill of Rights. I hope that that Patients' Bill of Rights is ultimately signed into law.

I have voted for it. We have passed a budget to set aside \$350 billion to add a prescription drug benefit to Medicare and to modernize Medicare. There is a company in my district called Express Scripts. They are a mail order pharmacy. They send out tens of thousands of prescriptions to people. But because Medicare is not modernized, there is a difference between if you have regular health insurance or if you are on Medicare. If you have regular health insurance, they get in the order for the medicine, they verify your eligibility online and they mail out the medicine that day. But if you are on Medicare, because Medicare is still back in the 1960s as a health plan, it takes 2 weeks to verify your eligibility with the Federal Government for Medicare. That is a senior who is out there waiting for their medicine because Medicare is not a modern program.

We have to add a prescription drug benefit to Medicare. We have to modernize Medicare. I am committed to working with my colleague from Ohio and others to do so. But we also have to narrow the education gap, to educate parents about what is available under Medicaid and under SCHIP and under employer-sponsored plans. Fifty-seven percent of small businesses in this country do not know that providing health care insurance for their employees is tax deductible. They do not know they can put it down as an expense. We need to make those changes, and we need to make sure that people know what the laws currently are so that we have fewer people uninsured, because uninsured people end up sicker than the rest of us. They end up in hospital emergency rooms more than people who have insurance. They are much more likely to be diagnosed with late stage cancers that are incurable. They end up getting their health care from emergency rooms rather than primary care physicians. They do not get annual pap smears and mammograms. They do not get immunizations for their children. We need to change the system so that the uninsured have the information and the access to insurance.

That is why I brought this resolution forward tonight. I ask for my colleagues' support.

Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentlewoman from New Mexico (Mrs. WILSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 271.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mrs. WILSON of New Mexico. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the

Chair's prior announcement, further proceedings on this motion will be postponed.

## ENHANCED BORDER SECURITY AND VISA ENTRY REFORM ACT OF 2001

Mr. SENSENBRENNER. Madam Speaker, I move to suspend the rules and concur in the Senate amendments to the bill (H.R. 3525) to enhance the border security of the United States, and for other purposes.

The Clerk read as follows:

Senate amendments:

Page 2, line 4, strike out "2001" and insert "2002".

Page 2, in the table of contents, after the item which reads

"Sec. 203. Commission on interoperable data sharing,"

insert:

Sec. 204. Personnel management authorities for positions involved in the development and implementation of the interoperable electronic data system ("Chimera system").

Sec. 205. Procurement of equipment and services for the development and implementation of the interoperable electronic data system ("Chimera system").

Page 2, in the table of contents, strike out "TITLE IV—ADMISSION AND INSPECTION OF ALIENS"

and insert:

"TITLE IV—INSPECTION AND ADMISSION OF ALIENS".

Page 2, in the table of contents, after the item which reads

"Sec. 403. Time period for inspections."

insert:

Sec. 404. Joint United States-Canada projects for alternative inspections services.

Page 3, after line 15, insert:

(3) CHIMERA SYSTEM.—The term "Chimera system" means the interoperable electronic data system required to be developed and implemented by section 202(a)(2).

Page 3, line 16, strike out "(3)" and insert "(4)".

Page 4, line 15, strike out "(4)" and insert "(5)".

Page 4, line 19, strike out "(5)" and insert "(6)".

Page 5, line 4, strike out "(6)" and insert "(7)".

Page 5, line 16, strike out "2002" and insert "2003".

Page 6, line 1, strike out "2002" and insert "2003".

Page 6, strike out lines 17 through 20.

Page 6, line 21, strike out "(c)" and insert "(b)".

Page 7, line 2, after "pay" insert "effective October 1, 2002".

Page 8, line 1, strike out "(d)" and insert "(c)".

Page 8, line 10, strike out "and".

Page 8, line 21, strike out "(e)" and insert "(d)".

Page 15, line 11, strike out "one year" and insert "15 months".

Page 15, line 13, strike out "six months" and insert "one year".

Page 16, line 12, after "alien" insert "(also known as the "Chimera system")".

Page 20, line 13, after "about" insert "the".

Page 21, line 7, after "of" insert "Central".

Page 22, line 2, strike out "in this title" and insert "in section 202".

Page 22, line 24, strike out "against".

Page 23, after line 14, insert:

## SEC. 204. PERSONNEL MANAGEMENT AUTHORITIES FOR POSITIONS INVOLVED IN THE DEVELOPMENT AND IMPLEMENTATION OF THE INTEROPERABLE ELECTRONIC DATA SYSTEM ("CHIMERA SYSTEM").

(a) IN GENERAL.—Notwithstanding any other provision of law relating to position classification or employee pay or performance, the Attorney General may hire and fix the compensation of necessary scientific, technical, engineering, and other analytical personnel for the purpose of the development and implementation of the interoperable electronic data system described in section 202(a)(2) (also known as the "Chimera system").

(b) LIMITATION ON RATE OF PAY.—Except as otherwise provided by law, no employee compensated under subsection (a) may be paid at a rate in excess of the rate payable for a position at level III of the Executive Schedule.

(c) LIMITATION ON TOTAL CALENDAR YEAR PAYMENTS.—Total payments to employees under any system established under this section shall be subject to the limitation on payments to employees under section 5307 of title 5, United States Code.

(d) OPERATING PLAN.—Not later than 90 days after the date of enactment of this Act, the Attorney General shall submit to the Committee on Appropriations, the Committee on the Judiciary, the Select Committee on Intelligence, and the Committee on Foreign Relations of the Senate and the Committee on Appropriations, the Committee on the Judiciary, the Permanent Select Committee on Intelligence, and the Committee on International Relations of the House of Representatives an operating plan—

(1) describing the Attorney General's intended use of the authority under this section; and

(2) identifying any provisions of title 5, United States Code, being waived for purposes of the development and implementation of the Chimera system.

(e) TERMINATION DATE.—The authority of this section shall terminate upon the implementation of the Chimera system.

## SEC. 205. PROCUREMENT OF EQUIPMENT AND SERVICES FOR THE DEVELOPMENT AND IMPLEMENTATION OF THE INTEROPERABLE ELECTRONIC DATA SYSTEM ("CHIMERA SYSTEM").

(a) EXEMPTION FROM APPLICABLE FEDERAL ACQUISITION RULES.—

(1) IN GENERAL.—Notwithstanding any other provision of law, for the purpose of the development and implementation of the interoperable electronic data system described in section 202(a)(2) (also known as the "Chimera system"), the Attorney General may use any funds available for the Chimera system to purchase or lease equipment or any related items, or to acquire interim services, without regard to any otherwise applicable Federal acquisition rule, if the Attorney General determines that—

(A) there is an exigent need for the equipment, related items, or services in order to support interagency information sharing under this title;

(B) the equipment, related items, or services required are not available within the Department of Justice; and

(C) adherence to that Federal acquisition rule would—

(i) delay the timely acquisition of the equipment, related items, or services; and

(ii) adversely affect interagency information sharing under this title.

(2) DEFINITION.—In this subsection, the term "Federal acquisition rule" means any provision of title III or IX of the Federal Property and Administrative Services Act of

1949, the Office of Federal Procurement Policy Act, the Small Business Act, the Federal Acquisition Regulation, or any other provision of law or regulation that establishes policies, procedures, requirements, conditions, or restrictions for procurements by the head of a department or agency of the Federal Government.

(b) NOTIFICATION OF CONGRESSIONAL APPROPRIATIONS COMMITTEES.—The Attorney General shall immediately notify the Committees on Appropriations of the House of Representatives and the Senate in writing of each expenditure under subsection (a), which notification shall include sufficient information to explain the circumstances necessitating the exercise of the authority under that subsection.

Page 23, line 25, strike out “an alien” and insert “each alien”.

Page 24, line 16, strike out “202(a)(3)(B)” and insert “202(a)(4)(B)”.

Page 25, line 21, strike out “October 26, 2003” and insert “October 26, 2004”.

Page 26, line 2, after “comparison” insert “and authentication”.

Page 26, line 5, strike out “each report” and insert “the report required by that paragraph”.

Page 26, lines 12 and 13, strike out “October 26, 2003” and insert “October 26, 2004”.

Page 26, line 15, after “visas and” insert “other”.

Page 26, line 18, after “tablish” insert “document authentication standards and”.

Page 26, line 19, after “visas and” insert “other”.

Page 26, lines 24 and 25, strike out “October 26, 2003” and insert “October 26, 2004”.

Page 27, line 3, after “comparison” insert “and authentication”.

Page 27, line 4, after “visas and” insert “other”.

Page 27, line 13, strike out “and”.

Page 27, line 16, strike out “(c)(1).” and insert “(c)(1); and”.

Page 27, after line 16, insert “(iii) can authenticate the document presented to verify identity”.

Page 27, line 22, strike out “202(a)(3)(B)” and insert “202(a)(4)(B)”.

Page 28, line 2, strike out “October 26, 2003” and insert “October 26, 2004”.

Page 28, line 9, strike out all after “biometric” down to and including “identifiers” in line 10 and insert “and document authentication identifiers that comply with applicable biometric and document identifying”.

Page 28, line 16, strike out “October 26, 2003” and insert “October 26, 2004”.

Page 28, line 17, after “program” insert “under section 217 of the Immigration and Nationality Act”.

Page 29, line 4, after “mission” insert “to a foreign country”.

Page 29, line 23, strike out “The committee” and insert “Each committee established under subsection (a).”

Page 30, line 1, strike out “PERIODIC REPORTS” and insert “PERIODIC REPORTS TO THE SECRETARY OF STATE”.

Page 30, line 1, strike out “The committee” and insert “Each committee established under subsection (a).”

Page 30, line 2, strike out “quarterly” and insert “monthly”.

Page 30, line 5, strike out “quarter” and insert “month”.

Page 30, after line 5, insert:

(f) REPORTS TO CONGRESS.—The Secretary of State shall submit a report on a quarterly basis to the appropriate committees of Congress on the status of the committees established under subsection (a).

Page 30, line 6, strike out “(f)” and insert “(g)”.

Page 32, strike out all after line 22 over to and including line 5 on page 33 and insert:

(a) REPORTING PASSPORT THEFTS.—Section 217 of the Immigration and Nationality Act (8 U.S.C. 1187) is amended—

(1) by adding at the end of subsection (c)(2) the following new subparagraph:

“(D) REPORTING PASSPORT THEFTS.—The government of the country certifies that it reports to the United States Government on a timely basis the theft of blank passports issued by that country.”; and

(2) in subsection (c)(5)(A)(i), by striking “5 years” and inserting “2 years”; and

(3) by adding at the end of subsection (f) the following new paragraph:

“(5) FAILURE TO REPORT PASSPORT THEFTS.—If the Attorney General and the Secretary of State jointly determine that the program country is not reporting the theft of blank passports, as required by subsection (c)(2)(D), the Attorney General shall terminate the designation of the country as a program country.”.

Page 35, strike out lines 1 and 2 and insert:

#### TITLE IV—INSPECTION AND ADMISSION OF ALIENS

Page 35, line 10, strike out all after “the” down to and including “(a)” in line 11 and insert “President”.

Page 37, line 2, strike out “(i)” and insert “(j)”.

Page 37, strike out lines 3 and 4 and insert: (3) by striking “SEC. 231.” and inserting the following:

“SEC. 231. (a) ARRIVAL MANIFESTS.—For Page 37, lines 9 and 10, strike out “an immigration officer” and insert “any United States border officer (as defined in subsection (i))”.

Page 37, line 19, strike out “an immigration officer” and insert “any United States border officer (as defined in subsection (i))”.

Page 39, line 9, strike out “that” and insert “that.”.

Page 39, lines 9 and 10, strike out “, aircraft, or land carriers” and insert “or aircraft”.

Page 39, line 25, strike out “\$300” and insert “\$1,000”.

Page 40, line 5, strike out “, aircraft, or land carrier” and insert “or aircraft”.

Page 40, line 16, strike out “prescribe.” and insert “prescribe.”.

Page 40, after line 16, insert:

“(i) UNITED STATES BORDER OFFICER DEFINED.—In this section, the term ‘United States border officer’ means, with respect to a particular port of entry into the United States, any United States official who is performing duties at that port of entry.”.

Page 40, line 17, strike out all after “CARRIERS.” down to and including “the” the second time it appears in line 18 and insert:

(1) STUDY.—The

Page 41, after line 2, insert:

(2) REPORT.—Not later than two years after the date of enactment of this Act, the President shall submit to Congress a report setting forth the findings of the study conducted under paragraph (1).

Page 41, after line 22, insert:

#### SEC. 404. JOINT UNITED STATES-CANADA PROJECTS FOR ALTERNATIVE INSPECTIONS SERVICES.

(a) IN GENERAL.—United States border inspections agencies, including the Immigration and Naturalization Service, acting jointly and under an agreement of cooperation with the Government of Canada, may conduct joint United States-Canada inspections projects on the international border between the two countries. Each such project may provide alternative inspections services and shall undertake to harmonize the criteria for inspections applied by the two countries in implementing those projects.

(b) ANNUAL REPORT.—The Attorney General and the Secretary of the Treasury shall

prepare and submit annually to Congress a report on the joint United States-Canada inspections projects conducted under subsection (a).

(c) EXEMPTION FROM ADMINISTRATIVE PROCEDURE ACT AND PAPERWORK REDUCTION ACT.—Subchapter II of chapter 5 of title 5, United States Code (commonly referred to as the “Administrative Procedure Act”) and chapter 35 of title 44, United States Code (commonly referred to as the “Paperwork Reduction Act”) shall not apply to fee setting for services and other administrative requirements relating to projects described in subsection (a), except that fees and forms established for such projects shall be published as a notice in the Federal Register.

Page 48, line 16, strike out “or” and insert “and”.

Page 49, line 4, strike out all after “COMPLIANCE.” down to and including “reviews” in line 7 and insert “Not later than two years after the date of enactment of this Act, and every two years thereafter, the Commissioner of Immigration and Naturalization, in consultation with the Secretary of Education, shall conduct a review”.

Page 49, line 22, strike out all after “REVIEWS.” down to and including “reviews” in line 23 and insert “Not later than two years after the date of enactment of this Act, and every two years thereafter, the Secretary of State shall conduct a review”.

Page 50, line 16, strike out “(c) EFFECT OF FAILURE TO COMPLY.—Failure” and insert “(c) EFFECT OF MATERIAL FAILURE TO COMPLY.—Material failure”.

Page 50, line 24, strike out all after “1372,” over to and including “be.” in line 5 on page 51 and insert “shall result in the suspension for at least one year or termination, at the election of the Commissioner of Immigration and Naturalization, of the institution’s approval to receive such students, or result in the suspension for at least one year or termination, at the election of the Secretary of State, of the other entity’s designation to sponsor exchange visitor program participants, as the case may be.”

Page 54, lines 24 and 25, strike out “proceeding” and insert “proceedings”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Wisconsin (Mr. SENSENBRENNER) and the gentlewoman from Texas (Ms. JACKSON-LEE) each will control 20 minutes.

The Chair recognizes the gentleman from Wisconsin (Mr. SENSENBRENNER).

#### GENERAL LEAVE

Mr. SENSENBRENNER. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days within which to revise and extend their remarks and to include extraneous material on H.R. 3525, the bill under consideration.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. SENSENBRENNER. Madam Speaker, I yield myself such time as I may consume.

Madam Speaker, since September 11, we have learned how deeply vulnerable our immigration system is to exploitation by aliens who wish to harm Americans. H.R. 3525 makes needed changes to our immigration laws to fight terrorism and to prevent such exploitation. I wish to thank the gentleman from Pennsylvania (Mr.

GEKAS), the chairman of the Subcommittee on Immigration and Claims, for his invaluable assistance in crafting this legislation.

This is the third time that the House has considered the main provisions of this bill. We first passed H.R. 3525 last December, and then we incorporated the provisions of the bill into H.R. 1885, which passed in March. Now that we have the other body's cooperation, I can safely say that the third time is a charm and that President Bush will sign this bill into law shortly after we vote on it today.

I will briefly mention two of the bill's most significant provisions. Most importantly, it requires the Attorney General and the Secretary of State to issue machine readable, tamper proof visas that use standardized biometric identifiers. H.R. 3525 extends the same biometric identifier requirements to passports from visa waiver program countries.

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While I preferred the House language requiring such enhanced visas to be issued as of October 2003, the amended Senate date of October 2004 is acceptable.

Second, building upon the enhanced data-sharing requirement of the USA PATRIOT Act, the bill directs our law enforcement agencies and intelligence community to share information with the State Department and the INS relevant to the admissibility and deportability of aliens. This information will be made available in an electronic database.

Madam Speaker, this is important and long overdue legislation, and I urge my colleagues to support it.

Madam Speaker, I reserve the balance of my time.

Ms. JACKSON-LEE of Texas. Madam Speaker, I yield myself such time as I may consume.

(Ms. JACKSON-LEE of Texas asked and was given permission to revise and extend her remarks.)

Ms. JACKSON-LEE of Texas. Madam Speaker, let me just thank the chairman of the Committee on the Judiciary for again the perseverance and determination with respect to this legislation and to note that this is one of the first legislative initiatives that came through the House after September 11; the House moved quickly. Certainly, in the shadow of September 11, there was a definitive concern about the protection of this Nation and the security of its borders, and I certainly agree with that. I do appreciate the work of the other body and, of course, the gentleman from Michigan (Mr. CONYERS), the ranking member of the full committee, and the subcommittee chairman for their leadership on this issue.

As I rise to support the Border Security and Visa Entry Reform bill, which all of us have given our approval to the extent that it addresses some gaping holes in a system that even without the horrific tragedy of September 11, it

was our responsibility to correct, and I agree with that, I believe that we could and should make our borders more secure and certainly more responsive to the huge numbers of entries that we face all over the country, the northern border, the southern border, but also our other ports of entry.

But as I rise to support this legislation, let me be very clear and be very cautious that it is important that we in this country separate out legitimate and focused immigration policy from the concept of ferreting out terrorists. This bill is to enhance our border security and to place safeguards on our visa entry system. It is not meant to keep out legitimate nonimmigrants who are coming for a specific purpose or to eliminate the possibility of immigrants coming to contribute to our economy and our communities; for example, our tourism visas that have been so vital in the exchange of cultures and the understanding of people from different places around the world.

I am glad that this legislation provides for foreign consulates an opportunity to identify potential terrorists by establishing terrorist lookout committees. This is what we call collaborative. We are working with our neighbors, we are working with foreign consulates and countries who have committed to us that they too want to fight terrorism. We are doing it together in a nondiscriminatory fashion. That should be the key of any legislation that we pass in this House.

In an effort to improve the ability of our foreign consulates to identify potential terrorists, this legislation establishes terrorist lookout committees at each U.S. post abroad. These lookout committees will ensure that names of suspected terrorists are included in the appropriate lookout databases and that those names are transmitted to the appropriate person in the consulate. This bill requires the establishment of a government-wide electric data-sharing system on persons with terrorist ties to be used by Federal officials to determine whether to grant visa applications or permit an individual to enter the United States.

Additionally, the legislation prohibits visas from being issued to an alien from a country designated as a State sponsor of terrorism, which makes sense, unless the Secretary of State, after consultation with the Attorney General and other officials, determine that the alien poses no threat to the safety or security of the United States.

Additionally, this legislation conditions country membership in the visa waiver programs on the country's timely sharing of information regarding the threat of blank passports. Relatedly, this legislation also requires that the Attorney General and Secretary of State enter stolen passport information in the interoperable data system promptly. This bill does address many of the issues that we are concerned with.

Madam Speaker, let me, first of all, thank the chairman of the Committee on the Judiciary for his, again, persistence and determination in working through this legislation and working with the Senate. I might add my appreciation also to Senators KENNEDY, BROWNBACK, FEINSTEIN and KYL, and as well our ranking member, the gentleman from Michigan (Mr. CONYERS) and the chairman of the subcommittee, the gentleman from Pennsylvania (Mr. GEKAS).

But as I rise to support this legislation, let me be very clear and be very cautious that it is important that we in this country separate out legitimate and focused immigration policy from the concept of ferreting out terrorists. This bill is to enhance our border security and to place safeguards on our visa entry system. It is not meant to keep out legitimate nonimmigrants who are coming for a specific purpose or to eliminate the possibility of immigrants coming to contribute to our economy and our communities.

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This legislation waives a limitation on the hiring of full-time personnel, giving greater control to decision-makers at the border and increasing the number of border personnel. It raises the pay of INS naturalization service border personnel and provides Custom agents, Border Patrol, and INS inspectors with essential training and cross-training. This bill focuses the agencies on the importance and the responsibility and gives them the tools and says to them, you must share intelligence, you must share information, you must help us thwart the terrible devastation of terrorists coming into this country or those coming here wanting to do harm.

Funds are also authorized to enhance technology available to the INS and Customs Service to improve and expand technology and to facilitate the flow of people and commerce at our ports of entry. To offset the cost of such improvements, the Attorney General is authorized to increase land border fees and the State Department is permitted to raise

fees from the use of machine-readable visas. In addition, the Attorney General is required to use authorized funds for installing biometric data readers and scanners at U.S. ports of entry. One of the difficulties at the southern border was that the individuals coming across the Mexican borders have their biometric cards, but we did not have the staff nor the readers of those cards; and there was a great logjam of those individuals who were legally trying to access the United States and were doing everything that they should have done. We must not tolerate that, and improve the systems at the border.

We must also improve our ability to monitor foreign nationals who are present in the United States. Consulate offices who issue visas will be required to transmit electronic versions of visa files to the INS so that critical information is available. A key failure on September 11, was there was no way to track individuals who had overstayed their visas, and there was no way to determine that they needed to be removed from this country.

This legislation also gives greater direction to the integrated entry and exit system established in 1996 by IIRIRA, including use of specific technology standards and technologies to facilitate across the border. What this does, it provides the INS with state-of-the-art technology at our borders. There has to be a better way and a better system and that is to improve the technology of our particular needs at the border.

We are also working with our consulate offices in ensuring that there is a relationship with the Secretary of State. Gaps still exist in the monitoring of foreign students. Accordingly, this legislation expands the monitoring program to include flight schools, language-training programs, and vocational schools; and it improves the reporting requirements on the INS as to the individuals going to these schools. In addition, this legislation requires the INS, in consultation with the Department of Education, to periodically review institutions enrolling foreign students and receiving exchange visitors to ensure that they adhere to the reporting and record keeping responsibilities.

Let me also note that we are very gratified with the inclusion of language from the legislation that the gentleman from Texas (Mr. REYES) and myself cosponsored that for all journeymen, border patrol agents, and inspectors who have completed at least 1 year of service and are receiving an annual rate of basic pay for positions GS-9 of the general schedule under section 5332 will receive an annual increase in their rate so that we can bind comparable and qualified individuals and provide a career pattern.

Let me simply say in closing, Madam Speaker, that I too have a disappointment in the comparing of the needs of developing a real immigration policy with the needs of finding terrorists.

Madam Speaker, just a few months ago, the House of Representatives passed this bill with the inclusion of Section 245(i). This bill that has come back from the Senate does not include that provision. I am aware that one Member from the other body held this up. How can this happen? How can we let it happen? The Extension of 245(i) is a simple measure that would allow for the adjustment of individuals who are here, who are accessing legalization in the right manner. Can we imagine

that we could not bring this bill to the floor of the House having passed it once; to allow a simple adjustment so that these individuals could be reunited with their families. I am hoping that we will come to our senses and realize that immigration is not terrorism, that immigration is not lawlessness, that we are a country of immigrants and, as well, laws, and we should find a way to pass 245(i) to reunite our families.

Madam Speaker, I reserve the balance of my time.

Mr. SENSENBRENNER. Madam Speaker, I yield 3 minutes to the gentleman from Pennsylvania (Mr. GEKAS).

Mr. GEKAS. Madam Speaker, I thank the gentleman for yielding me this time, and I rise in support of the legislation.

Madam Speaker, the American people have been insisting for quite some time now that we tighten up our borders, that we prevent terrorists and potential terrorists from entering into our country in the first place and, most certainly, that if they do happen to get through, to be able to track them down and to deport them or somehow prevent an act of terrorism that might be in their minds and hearts. So now, after September 11, that insistence has grown into a crescendo of demands by the American public that we do something.

Here, we have the potential of taking gigantic steps in tracking those people who would come to our country under a student visa, shall we say, and then during the course of their academic curriculum at a particular institution, they either drop out and drop out of sight within our society, never to be seen again, or they come to the end of their student visa and again they drop off the face of the Earth into our society, and we sit around helpless as to where these individuals might be. That is why we have millions of illegal aliens in our country. That is part of the reason.

This bill helps protect some systems that can, with high tech, make it possible to track all of these people. So would it not be a great thing to be able to see a student come to our country, legally so, properly so, and whom we would welcome with open arms, and then at the end of his visa when he finishes his years or her years of curriculum at a particular institution, that at that moment the privileges of the visa end and that individual goes back to his or her home country? That is a simple little equation that this bill helps to prepare and to execute. That is just one.

But the other provisions of the bill tighten up our security by strengthening our capacity for border patrols and other screening processes which go across the board in a sweeping effort to heed what the American people are saying to us, tighten up the borders, prevent illegal aliens from coming in, and once they are in here, deport them or bring law enforcement measures against them.

Ms. JACKSON-LEE of Texas. Madam Speaker, I yield myself such time as I may consume.

I appreciate the words of the chairman of our subcommittee, because I do think he highlighted several important aspects of what this bill does. I think that we should also say to the American people that we are working on issues that many of us spoke to even before the tragedy of September 11, and I think it is important to note that one of the reasons why we could not succeed with our immigration policies is a lack of staffing. This legislation focuses on the importance of hiring personnel at the border, full-time personnel, giving greater control to decisionmakers at the border and increasing the number of border personnel.

It is interesting that one of the issues that we had was the lack of comparable pay, lack of professional training, and now we have that, and this legislation will include higher pay for our border service personnel and provides Customs agents and Border Patrol and INS inspectors with essential training and cross-training.

One of the issues that came up after September 11 was the lack of intelligence-sharing. I have even seen an improvement over these last couple of months. We must focus on the fact that the law enforcement agencies must share information. This bill emphasizes that. It also expands technology.

As a member of the Homeland Security Task Force, one of the major issues we talked about is increased technology aspects of the northern border and the southern border. How do we detect whether there is tainted food coming across the border, for instance? We are looking to expand the technology resources there.

To offset such costs of such improvements, the Attorney General is authorized to increase land border fees and the State Department is permitted to raise fees for the use of machine-readable visas.

One of the difficulties we have had at the southern border was that individuals coming across Mexican borders have their biometric cards. There have been a lot of accusations: why do you not use them? But we did not have the staff or the readers of those cards and there was a great logjam of those individuals who were legally trying to access the United States and were doing everything they could that they should have done, but we did not have the resources to deal with it.

This bill places a priority on having those kinds of resources. It also gives us the ability to improve our monitoring of foreign nationals who are present in the United States, and consulate offices who issue visas will be required to transmit electronic versions of visa files to the INS so that critical information is available. This is a key response to September 11 when the State Department was issuing visas and those who had the responsibility for enforcement had no knowledge of



it. Now we have a situation where that data must be transformed, and it was a key element of concern of mine and one of the issues that we raised, both in legislation and with respect to this particular bill.

This legislation also gives greater direction to the integrated entry and exit system established in 1996 by IIRIRA, including use of specific technology standards and technologies to facilitate across the border. What this does is it provides the INS with state-of-the-art technology at the borders. It also provides a working relationship, as I said, with the Secretary of State, the State Department, and consulate offices.

Gaps still exist in the monitoring of foreign students, but this legislation again puts student tracking on the list by doing the following: it expands the monitoring to include flight schools, language training schools, and vocational schools. It seems interesting that when we had the testimony of those who owned the flight schools in Florida, that trained the terrorists of September 11, it did not strike them as funny or somewhat unique that these individuals would want only a specific type of training, training that did not require landing or taking off. I believe with a more secure tracking and notice of these individuals, more serious questions will be asked when individuals come for unique training in the United States. We certainly are open to students, but we recognize that we must be cautious and diligent in that kind of training.

Let me simply say to my colleagues that this bill is an important bill, but this bill went to the Senate, the other body, with 245(i), and that is a bill that dealt with the reunification of families. The bill had been vetted, it had been studied, it had been subject to review here in the House, and that bill still stands idle without attention. The lack of attention to 245(i) does not serve us well, Madam Speaker. It is simply a bill that will allow for the adjustments of individuals who are here, who are accessing legalization, without them having to return to their country, maybe a country, of course, where they are jeopardized, or it may be a country where they are under threat of persecution.

Therefore, it is important that 245(i) get its hearing here in the United States Congress. We need to pass 245(i). It is of great importance that we allow those who are standing in line, thousands who are standing in line for the right kind of access to legalization, who are here with the kind of support systems and family members who can help them access legalization; 245(i) needs to pass.

Let me conclude my remarks by simply acknowledging an article by Daniel T. Griswold entitled "Don't Blame Immigrants for Terrorism" dated October 23, 2001. I would like to submit this for the RECORD and conclude my remarks by saying that this border security bill

speaks to immigration as it should be spoken to, and that is a fair balance of ensuring that there is access to those immigrants who are fairly and legally accessing this country and access to those who are trying to earn access to legalization without the overall veil that immigration equates to terrorism.

I believe that this is an important legislative initiative, and I ask my colleagues to support this legislation enthusiastically. I ask to submit this article into the RECORD: "Don't Blame Immigrants for Terrorism" by Daniel T. Griswold.

[From the Assistant Director of Trade Policy Studies at the Cato Institute, October 23, 2001]

**DON'T BLAME IMMIGRANTS FOR TERRORISM**  
(By Daniel T. Griswold)

In the wake of the September 11 terrorist attacks on the Pentagon and the World Trade Center, the U.S. government must strengthen its efforts to stop terrorists or potential terrorists from entering the country. But those efforts should not result in a wider effort to close our borders to immigrants.

Obviously, any government has a right and a duty to "control its borders" to keep out dangerous goods and dangerous people. The U.S. federal government should implement whatever procedures are necessary to deny entry to anyone with terrorist connections, a criminal record, or any other ties that would indicate a potential to commit terrorist acts.

This will require expanding and upgrading facilities at U.S. entry points so that customs agents and immigration officials can be notified in a timely manner of persons who should not be allowed into the country. Communications must be improved between law enforcement, intelligence agencies and border patrol personnel. Computer systems must be upgraded to allow effective screening without causing intolerable delays at the border. A more effective border patrol will also require closer cooperation from Mexico and Canada to prevent potential terrorists from entering those countries first in an attempt to then slip across our long land borders into the United States.

Long-time skeptics of immigration, including Pat Buchanan and the Federation for American Immigration Reform, have tried in recent days to turn those legitimate concerns about security into a general argument against openness to immigration. But immigration and border control are two distinct issues. Border control is about who we allow to enter the country, whether on a temporary or permanent basis; immigration is about whom we allow to stay and settle permanently.

Immigrant are only a small subset of the total number of foreigners who enter the United States every year. According to the U.S. Immigration and Naturalization Service, 351 million aliens were admitted through INS ports of entry in fiscal year 2000—nearly a million entries a day. That total includes individuals who make multiple entries, for example, tourists and business travelers with temporary and aliens who hold border-crossing cards that allow them to commute back and forth each week from Canada and Mexico.

The majority of aliens who enter the United States return to their homeland after a few days, weeks, or months. Reducing the number of people we allow to reside permanently in the United States would do nothing to protect us from terrorists who do not come here to settle but to plot and commit

violent acts. And closing our borders to those who come here temporarily would cause a huge economic disruption by denying entry to millions of people who come to the United States each year for lawful, peaceful (and temporary) purposes.

It would be a national shame if, in the name of security, we were to close the door to immigrants who come here to work and build a better life for themselves and their families. Like the Statue of Liberty, the World Trade Center towers stood as monuments to America's openness to immigration. Workers from more than 80 different nations lost their lives in the terrorist attacks. According to the Washington Post, "The hardest hit among foreign countries appears to be Britain, which is estimating about 300 deaths . . . Chile has reported about 250 people missing, Colombia nearly 200, Turkey about 130, the Philippines about 115, Israel about 113, and Canada between 45 and 70. Germany has reported 170 people unaccounted for, but expects casualties to be around 100." Those people were not the cause of terrorism but its victims.

The problem is not that we are letting too many people into the United States but that the government is not keeping out the wrong people. An analogy to trade might be helpful: We can pursue a policy of open trade, with all its economic benefits, yet still exclude goods harmful to public health and safety, such as diseased meat and fruits, explosives, child pornography, and other contraband materials. In the same way, we should keep our borders open to the free flow of people, but at the same time strengthen our ability to keep out those few who would menace the public.

Immigrants come here to realize the American dream; terrorists come to destroy it. We should not allow America's tradition of welcoming immigrants to become yet another casualty of September 11.

Mr. SENSENBRENNER. Madam Speaker, I yield myself the balance of the time.

Madam Speaker, I would like to respond to two of the points that have come up during this debate, first with respect to the comments on section 245(i) made by the distinguished gentleman from Texas (Ms. JACKSON-LEE). The House of Representatives has passed 245(i) legislation twice, once in May of last year and once in March of this year. The second passage of the 245(i) legislation was coupled with the same visa security and Border Patrol legislation that we are discussing here today.

□ 1815

The Senate, however, chose to pick this bill without 245(i), without the other bill which had 245(i) in it. That is why we are debating a 245(i)-less bill today. So the decision to hold up 245(i) this time does not rest with the House of Representatives, but, unfortunately, with the other body.

Secondly, with respect to the comments on student visa tracking made by the distinguished gentleman from Pennsylvania (Mr. GEKAS), he is absolutely right on that, but I would like to amplify the point that he made with one other fact.

Much was said about the fact that Mohammed Atta and one of the other September 11 hijackers had their student visas approved by the INS 6

months after they died flying planes into the Twin Towers in New York City. But the really shocking statistic was not that, it was the fact that the student visas were approved 13 months after these two terrorists graduated from flight school. The purpose for which the student visas were applied for had been fulfilled, and they should have left the country promptly after their course of study was concluded. They did not, and the rest is history, and over 3,000 people died as a result of that.

What this legislation does is that it provides a student visa tracking system so if someone enters the United States on a student visa and either does not show up at school, drops out of school, gets kicked out of school, or graduates from school, then the INS will know about it and take the appropriate action to make sure that those students return to their home countries.

Had this type of a system proposed by this bill been up and functional on September 11, Mr. Atta and his conspirator would not have been in the United States to go to an American airport to hijack two American planes and to kill thousands of people.

That is why it is important that this bill be passed, so that future Attas who wish to exploit the weaknesses in our visa system and to abuse the hospitality that is extended to them by the American people at American institutions will no longer be able to do so. I urge the House to concur in the Senate amendments.

Mr. ORTIZ. Madam Speaker, as co-chairman of the House Border Caucus and a representative of South Texas, I rise in support of H.R. 3525, the Enhanced Border Security and Visa Entry Reform Act and thank the House for moving this bill so quickly after Senate passage.

It is an important bill for the security of the nation—and my district sits square on some of the real estate most affected by our border policies. It ensures safety for the people within this country's borders and provides the tools necessary to the U.S. Customs and the Immigration and Naturalization Service to better serve the American people.

Most importantly for the taxpayers in my district, the bill also has a provision to extend the border crossing card deadline for residents along the Southwestern border of the United States. This extension will provide a much-needed boost to the economies that have suffered since the tragic attacks of September 11th.

After the attacks, Congress stopped work on a stand-alone bill with bi-partisan support to extend the deadline for one year to October 1, 2002. With the extension in today's bill, until Oct. 1, 2002, consumers whose lives transverse the border can conduct business normally again. Regular border shoppers can—after we finish this bill—use their border crossing cards to go to school, to go to work, to go shopping, or visit their families. They can once again participate in the border economy.

The Southwestern border is vitally important to the United States. It is the gateway to the United States from Latin and South America.

It is the port-of-entry for one of our most valued trading partners, and it represents the rich diversity of immigrants on which this country was founded. This bill is an excellent first step in recognizing that fact.

The Southwestern border, according to a recent U.S. Chamber of Commerce report, has a population of 6.2 million people in the U.S. and approximately 4.3 million people in Mexico. The buying power of border residents is immense and the economy of South Texas depends on their participation in our marketplace. In my district alone, 75–80% of Brownsville's downtown retail sales normally come from people crossing the border.

Since September 11th this number has dropped. This same report also cites the border crossing card deadline as one of the main reasons that fewer people are crossing the border. The economic effects of the attacks in September were bad for the country; they were devastating for the Southwestern border.

Mr. SENSENBRENNER. Madam Speaker, I yield back the balance of my time.

The SPEAKER pro tempore (Mrs. BIGGERT). The question is on the motion offered by the gentleman from Wisconsin (Mr. SENSENBRENNER) that the House suspend the rules and concur in the Senate amendments to the bill, H.R. 3525.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds of those present have voted in the affirmative.

Mr. SENSENBRENNER. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX and the Chair's prior announcement, further proceedings on this motion will be postponed until tomorrow.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12 of rule I, the Chair declares the House in recess until 6:30 p.m.

Accordingly (at 6 o'clock and 18 minutes p.m.), the House stood in recess until 6:30 p.m.

□ 1830

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. DUNCAN) at 6 o'clock and 30 minutes p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will now put the question on motions to suspend the rules on which further proceedings were postponed earlier today.

Votes will be taken in the following order:

H.R. 2911, by the yeas and nays;

House Concurrent Resolution 271, by the yeas and nays.

The Chair will reduce to 5 minutes the time for any electronic vote after the first such vote in this series.

#### HARVEY W. WILEY FEDERAL BUILDING

The SPEAKER pro tempore. The pending business is the question of suspending the rules and passing the bill, H.R. 2911.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Arkansas (Mr. BOOZMAN) that the House suspend the rules and pass the bill, H.R. 2911, on which the yeas and nays are ordered.

The vote was taken by electronic device, and there were—yeas 402, nays 0, not voting 32, as follows:

[Roll No. 127]

YEAS—402

Abercrombie	Conyers	Goodlatte
Aderholt	Cooksey	Gordon
Akin	Cox	Goss
Allen	Coyne	Graham
Andrews	Cramer	Granger
Armey	Crenshaw	Graves
Baca	Crowley	Green (TX)
Bachus	Cubin	Green (WI)
Baird	Culberson	Greenwood
Baldacci	Cummings	Grucci
Baldwin	Cunningham	Gutknecht
Ballenger	Davis (CA)	Hall (OH)
Barcia	Davis (IL)	Hall (TX)
Barr	Davis, Jo Ann	Hansen
Barrett	Davis, Tom	Harman
Bartlett	Deal	Hart
Barton	DeFazio	Hastings (FL)
Bass	DeGette	Hastings (WA)
Becerra	Delahunt	Hayes
Bentsen	DeLauro	Hayworth
Bereuter	DeLay	Hefley
Berkley	DeMint	Heger
Berman	Deutsch	Hill
Berry	Diaz-Balart	Hilleary
Biggert	Dicks	Hilliard
Bilirakis	Dingell	Hinchey
Bishop	Doggett	Hinojosa
Blumenauer	Dooley	Hobson
Blunt	Doolittle	Hoeffel
Boehlert	Doyle	Hoekstra
Boehner	Dreier	Holden
Bonilla	Duncan	Holt
Bono	Dunn	Honda
Boozman	Edwards	Hooley
Borski	Ehlers	Horn
Boswell	Ehrlich	Hostettler
Boucher	Emerson	Houghton
Boyd	Engel	Hoyer
Brady (PA)	English	Hulshof
Brady (TX)	Eshoo	Hyde
Brown (FL)	Etheridge	Inslee
Brown (SC)	Evans	Isakson
Bryant	Everett	Israel
Burr	Farr	Issa
Callahan	Fattah	Istook
Calvert	Ferguson	Jackson (IL)
Camp	Filner	Jackson-Lee
Cannon	Flake	(TX)
Cantor	Fletcher	Jefferson
Capito	Foley	Jenkins
Capps	Forbes	John
Capuano	Ford	Johnson (CT)
Cardin	Frank	Johnson (IL)
Carson (OK)	Frelinghuysen	Johnson, E. B.
Castle	Frost	Johnson, Sam
Chabot	Galleghy	Jones (NC)
Chambliss	Ganske	Kanjorski
Clay	Gekas	Kaptur
Clayton	Gephardt	Keller
Clement	Gibbons	Kelly
Clyburn	Gilchrest	Kennedy (MN)
Coble	Gillmor	Kennedy (RI)
Collins	Gilman	Kerns
Combest	Gonzalez	Kildee
Condit	Goode	Kilpatrick

King (NY) Nethercutt Sherman  
Kirk Ney Sherwood  
Klecza Northup Shimkus  
Knollenberg Norwood Shows  
Kolbe Nussle Shuster  
Kucinich Oberstar Simmons  
LaFalce Obey Simpson  
LaHood Oliver Skeen  
Lampson Ortiz Skelton  
Langevin Osborne Slaughter  
Lantos Otter Smith (MI)  
Larsen (WA) Owens Smith (NJ)  
Larson (CT) Oxley Smith (TX)  
Latham Pallone Smith (WA)  
LaTourette Pascarell Snyder  
Leach Pastor Solis  
Lee Paul Spratt  
Levin Payne Stark  
Lewis (CA) Pelosi Stearns  
Lewis (GA) Pence Stenholm  
Lewis (KY) Peterson (MN) Strickland  
Linder Peterson (PA) Stump  
Lipinski Petri Stupak  
LoBiondo Phelps Sullivan  
Lofgren Pickering Sununu  
Lowey Pitts Sweeney  
Lucas (KY) Platts Tancredo  
Lucas (OK) Pombo Tanner  
Luther Pomeroy Tauscher  
Lynch Portman Tauzin  
Maloney (CT) Putnam Taylor (MS)  
Maloney (NY) Quinn Terry  
Manzullo Radanovich Thomas  
Markey Rahall Thompson (CA)  
Mascara Ramstad Thompson (MS)  
Matheson Rangel Thornberry  
Matsui Regula Thune  
McCarthy (MO) Rehberg Thurman  
McCarthy (NY) Reyes Tiahrt  
McCollum Reynolds Tiberi  
McCrery Rivers Tierney  
McDermott Rodriguez Toomey  
McGovern Roemer Towns  
McHugh Rogers (KY) Turner  
McInnis Rogers (MI) Udall (NM)  
McIntyre Rohrabacher Upton  
McKeon Ros-Lehtinen Velazquez  
McKinney Ross Vitter  
McNulty Roukema Walden  
Meehan Roybal-Allard Walsh  
Meek (FL) Royce Wamp  
Meeks (NY) Rush Waters  
Menendez Ryan (WI) Watson (CA)  
Mica Rynun (KS) Watt (NC)  
Millender- Sabo Watts (OK)  
McDonald Sanchez Weldon (FL)  
Miller, Dan Sanders Weldon (PA)  
Miller, Gary Sandlin Weller  
Miller, George Saxton Wexler  
Miller, Jeff Whitfield Whitfield  
Mink Schakowsky Wicker  
Moore Schiff Wilson (NM)  
Moran (KS) Schrock Wilson (SC)  
Moran (VA) Scott Wolf  
Morella Sensenbrenner Woolsey  
Murtha Serrano Wu  
Myrick Sessions Wynn  
Nadler Shadegg Young (AK)  
Napolitano Shaw Young (FL)  
Neal Shays

## NOT VOTING—32

Ackerman Fossella Rothman  
Baker Gutierrez Sawyer  
Blagojevich Hunter Souder  
Bonior Jones (OH) Taylor (NC)  
Brown (OH) Kind (WI) Traficant  
Burton Kingston Udall (CO)  
Buyer Mollohan Visclosky  
Carson (IN) Ose Watkins (OK)  
Costello Price (NC) Waxman  
Crane Pryce (OH) Weiner  
Davis (FL) Riley

□ 1857

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Stated for:

Mr. FOSSELLA. Mr. Speaker, on rollcall No. 127, I was inadvertently detained. Had I been present, I would have voted “yea”.

ANNOUNCEMENT BY THE SPEAKER  
PRO TEMPORE

The SPEAKER pro tempore (Mr. DUNCAN). Pursuant to clause 8 of rule XX, the Chair will reduce to 5 minutes the minimum time for electronic voting on the second motion to suspend the rules on which the Chair has postponed further proceedings.

SENSE OF CONGRESS REGARDING  
PUBLIC AWARENESS OF THE IM-  
PORTANCE OF HEALTH CARE  
EDUCATION AND HEALTH CARE  
COVERAGE MONTH

The SPEAKER pro tempore. The pending business is the question of suspending the rules and agreeing to the concurrent resolution, H. Con. Res. 271.

The Clerk read the title of the concurrent resolution.

The SPEAKER pro tempore. The question is on the motion offered by the gentlewoman from New Mexico (Mrs. WILSON) that the House suspend the rules and agree to the concurrent resolution, H. Con. Res. 271, on which the yeas and nays are ordered.

This will be a 5-minute vote.

The vote was taken by electronic device, and there were—yeas 402, nays 1, answered “present” 1, not voting 30, as follows:

[Roll No. 128]

YEAS—402

Abercrombie Cardin Eshoo  
Aderholt Carson (OK) Etheridge  
Akin Castle Evans  
Allen Chabot Everett  
Andrews Chambliss Farr  
Armey Clay Fattah  
Baca Clayton Ferguson  
Bachus Clement Filner  
Baird Clyburn Flake  
Coble Fletcher  
Collins Foley  
Combest Forbes  
Condit Ford  
Conyers Fossella  
Cooksey Frank  
Cox Frelinghuysen  
Coyne Frost  
Cramer Gallegly  
Crenshaw Ganske  
Crowley Gekas  
Cubin Gephardt  
Culberson Gibbons  
Cummings Gilchrest  
Cunningham Gillmor  
Davis (CA) Gilman  
Davis (IL) Gonzalez  
Davis, Jo Ann Goode  
Davis, Tom Gordon  
Deal Goss  
DeFazio Graham  
DeGette Granger  
Delahunt Graves  
DeLauro Green (TX)  
DeLay Green (WI)  
DeMint Greenwood  
Deutsch Grucci  
Diaz-Balart Gutknecht  
Dicks Hall (OH)  
Dingell Hall (TX)  
Doggett Hansen  
Dooley Harman  
Doolittle Hart  
Doyle Hastings (FL)  
Dreier Hastings (WA)  
Duncan Hayes  
Dunn Hayworth  
Edwards Hefley  
Ehlers Herger  
Ehrlich Hill  
Emerson Hilleary  
Engel Hilliard  
English Hinchey

Hinojosa  
Hobson  
Hoeffel  
Hoekstra  
Holden  
Holt  
Honda  
Hooley  
Horn  
Hostettler  
Houghton  
Hoyer  
Hulshof  
Hyde  
Inslee  
Isakson  
Israel  
Issa  
Istook  
Jackson (IL)  
Jackson-Lee  
(TX)  
Jefferson  
Jenkins  
John  
Johnson (CT)  
Johnson (IL)  
Johnson, E. B.  
Johnson, Sam  
Jones (NC)  
Kanjorski  
Kaptur  
Keller  
Kelly  
Kennedy (MN)  
Kennedy (RI)  
Kildee  
Kilpatrick  
King (NY)  
Kirk  
Klecza  
Knollenberg  
Kolbe  
Kucinich  
LaFalce  
LaHood  
Lampson  
Langevin  
Lantos  
Larsen (WA)  
Larson (CT)  
Latham  
LaTourette  
Leach  
Lee  
Levin  
Lewis (CA)  
Lewis (GA)  
Lewis (KY)  
Linder  
Lipinski  
LoBiondo  
Lofgren  
Lowey  
Lucas (KY)  
Lucas (OK)  
Luther  
Lynch  
Maloney (CT)  
Maloney (NY)  
Manzullo  
Markey  
Mascara  
Matheson  
Matsui  
McCarthy (MO)  
McCarthy (NY)  
McCollum  
McCrery  
McDermott  
McGovern  
McHugh  
McInnis  
McIntyre  
McKeon  
McKinney  
McNulty  
Meehan  
Meek (FL)  
Meeks (NY)  
Menendez  
Mica  
Millender-  
McDonald  
Miller, Dan  
Miller, Gary  
Miller, George  
Miller, Jeff  
Mink  
Moore  
Moran (KS)  
Moran (VA)  
Morella  
Murtha  
Myrick  
Nadler  
Napolitano  
Neal  
Schaffer  
Schakowsky  
Schiff  
Schrock  
Scott  
Sensenbrenner  
Serrano  
Sessions  
Shadegg  
Shaw  
Shays  
Sherman  
Sherwood  
Shimkus  
Shows  
Shuster  
Simmons  
Simpson  
Skeen  
Skelton  
Slaughter  
Smith (MI)  
Smith (NJ)  
Smith (TX)  
Smith (WA)  
Snyder  
Solis  
Spratt  
Stark  
Stearns  
Stenholm  
Strickland  
Stump  
Stupak  
Sullivan  
Sununu  
Sweeney  
Tancredo  
Tanner  
Tauscher  
Tauzin  
Taylor (MS)  
Taylor (NC)  
Terry  
Thomas  
Thompson (CA)  
Thompson (MS)  
Thornberry  
Thune  
Thurman  
Tiahrt  
Tiberi  
Tierney  
Toomey  
Towns  
Turner  
Udall (NM)  
Upton  
Velazquez  
Vitter  
Walsh  
Wamp  
Waters  
Watson (CA)  
Watt (NC)  
Watts (OK)  
Weiner  
Weldon (FL)  
Weldon (PA)  
Weller  
Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Woolsey  
Wu  
Wynn  
Young (AK)  
Young (FL)  
Schafer  
Schakowsky  
Schiff  
Schrock  
Scott  
Sensenbrenner  
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Watson (CA)  
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Weiner  
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Weldon (PA)  
Weller  
Wexler  
Whitfield  
Wicker  
Wilson (NM)  
Wilson (SC)  
Wolf  
Woolsey  
Wu  
Wynn  
Young (AK)  
Young (FL)

NAYS—1

Paul

ANSWERED “PRESENT”—1

Kerns

NOT VOTING—30

Ackerman Costello Kingston  
Bereuter Crane Mollohan  
Blagojevich Davis (FL) Ose  
Bonior Goodlatte Price (NC)  
Brown (OH) Gutierrez Pryce (OH)  
Burton Hunter Riley  
Buyer Jones (OH) Rothman  
Carson (IN) Kind (WI) Sawyer

Souder  
Traficant

Udall (CO)  
Visclosky

Watkins (OK)  
Waxman

□ 1906

So (two-thirds having voted in favor thereof) the rules were suspended and the concurrent resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### REPORT ON RESOLUTION PROVIDING FOR THE DISPOSITION OF H.J. RES. 84, DISAPPROVING THE ACTION TAKEN BY THE PRESIDENT UNDER SECTION 203 OF THE TRADE ACT OF 1974 TRANSMITTED TO THE CONGRESS ON MARCH 5, 2002

Mr. REYNOLDS, from the Committee on Rules, submitted a privileged report (Rept. No. 107-447) on the resolution (H. Res. 414) providing for the disposition of the joint resolution (H.J. Res. 84) disapproving the action taken by the President under section 203 of the Trade Act of 1974 transmitted to the Congress on March 5, 2002, which was referred to the House Calendar and ordered to be printed.

#### OFFICER MARLENE LOOS NAMED OFFICER OF THE MONTH

(Mr. GRUCCI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GRUCCI. Mr. Speaker, I rise today in honor of Suffolk County Police Officer Marlene Loos, who was recently named the Officer of the Month by the National Law Enforcement Officers Memorial Fund. Marlene Loos epitomizes the bravery of the men and women who patrol our streets, serve our neighbors, and protect our children day and night.

On the morning of December 10, 1998, while responding to a 911 call, Officer Loos was shot point-blank in the chest. After struggling to her feet to try and protect people surrounding the incident, she was shot again in the arm. Despite being shot twice, Officer Loos was able to cover a bystander with her own body, hoping that her body armor would protect them both.

Fortunately, Officer Loos was able to survive the attack on that December morning. Coming from a family of police officers, she continues to serve our community on Long Island, and I am extremely proud to have her as my constituent.

Mr. Speaker, I ask my colleagues to join me in congratulating Officer Loos on this recent honor and thanking her and her fellow officers for protecting and making our communities safe throughout this Nation.

#### SPECIAL ORDERS

The SPEAKER pro tempore (Mr. DUNCAN). Under the Speaker's an-

nounced policy of January 3, 2001, and under a previous order of the House, the following Members will be recognized for 5 minutes each.

#### J-1 VISA WAIVER

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. PALLONE) is recognized for 5 minutes.

Mr. PALLONE. Mr. Speaker, I come to the House floor this evening to express my opposition to the termination of the J-1 visa waiver program.

Currently, foreign medical graduates are allowed to come to the United States on a J-1 visa for up to 3 years to train in accredited residency programs in rural underserved parts of the country. The impetus behind accepting physicians from other countries, foreign medical graduates, and training them in American residency positions is to attract physicians to provide care to the medically underserved who live in rural areas where doctors trained in the United States do not want to practice.

Mr. Speaker, the law states that once a residency program is complete, the doctors are required to return to their country of origin for 2 years. However, the government has the authority to waive the requirements if it is in the United States' interest to keep the physician here. The U.S. Department of Agriculture's Rural Development Branch was thrilled by the waiver because it provided the opportunity to retain medical trainees who would continue to serve in typically medically underserved communities in rural America.

But, Mr. Speaker, unfortunately, in the past few weeks, the USDA has indicated an intention to stop granting such permission under the J-1 visa waiver program. Although it is clear there is a lack of sufficient health care in rural America, and although it is clear that qualified physicians from abroad are willing to come to the U.S. to serve in these medically lacking communities, nevertheless, the government has proposed to end this program entirely.

Mr. Speaker, since September 11, national security concerns have taken hold and new extensive background checks have been put in place. The USDA claims the extra money required to implement background checks on foreign medical graduates would be too burdensome and therefore the program must end. Currently, there are approximately a little more than 80 applications for the waiver that are still pending, and after these applications have been processed, the program is slated to end.

Mr. Speaker, I believe that there is not justification for the cessation of the J-1 visa waiver program. Terminating this program and preventing qualified physicians from serving communities in America that lack sufficient health care does our country a

great injustice. Mr. Speaker, stopping the granting of these waivers is unacceptable, and I would ask that the USDA reconsider, and that we do whatever we can, myself and my colleagues, to prevent this valuable program from ending because it is so important to rural America and to the health care of Americans in rural areas.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Nevada (Mr. GIBBONS) is recognized for 5 minutes.

(Mr. GIBBONS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from the District of Columbia (Ms. NORTON) is recognized for 5 minutes.

(Ms. NORTON addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### PERSONAL EXPLANATION

Mr. JOHN. Mr. Speaker, I am not recorded on rollcall vote number 126. I was unable to make that vote at the time. Had I been here I would have voted "yes" on that rollcall vote, and I would like that to be reflected in the CONGRESSIONAL RECORD.

#### TRIBUTE TO PAUL FACCHINA, AN EXTRAORDINARY CITIZEN

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. HOYER) is recognized for 5 minutes.

Mr. HOYER. Mr. Speaker, a week and a day ago, Charles County, Calvert County, and Dorchester County in Maryland were hit by a tornado. Mr. Speaker, I rise today to bring to your attention a truly remarkable individual from my district who is helping us respond to that tornado.

As you know, Southern Maryland was recently devastated by what is believed to be the second most powerful tornado ever to hit the East Coast. It is tough times like these, Mr. Speaker, that brings out the best of what America has to offer, for those who have lost a great deal themselves rise to the occasion to help others who are in need.

Mr. Paul Facchina is a tremendous example of one such extraordinary person who heads up a company peopled by extraordinary individuals. Mr. Facchina owns and operates Facchina Construction in LaPlata, Maryland. That small town in Charles County completely lost 48 businesses in the matter of minutes that the tornado took to pass through. Lawyers' offices, banks, convenience stores, fast food restaurants, grocery stores, a lumber yard, all destroyed.

Mr. Paul Facchina's company was among those that were decimated, and he has every intention of rebuilding a

brand new headquarters, which he happened to have already planned just across the street from the one that was destroyed. And though he and his employees are busy finalizing plans for the new building, while at the same time cleaning up the old, he did not forget about those other businesses in LaPlata that were destroyed and put out of business.

□ 1915

Instead, Facchina Construction began work on a "temporary town center" just hours after the powerful F5 tornado ripped through the county.

Recognizing the devastation that loss of customers could mean to his neighboring small businesses, Paul Facchina acted quickly to create a 2-acre home for them on company property in the center of LaPlata's business district. This temporary town center will consist of 21 office trailers, complete with utilities and a paved parking lot to accommodate any LaPlata business that was displaced by the tornado. On Friday after Congress adjourned, I was on the Facchina construction site. It was amazing what they had done in the 4 days since the tornado hit, plumbing being installed, pads being prepared.

And what does Mr. Facchina ask for in return for his generosity, the generosity of his company and his people? Nothing more than what a business can afford to pay. If they are not doing any business because they have been blown out of the water, so to speak, they will not pay anything. Otherwise, they will pay a commensurate lease.

Facchina Construction is no stranger to disaster response. The company was on site at the Pentagon on September 11, and crews were involved in the subsequent rescue and recovery of people in the Pentagon. Facchina headed up the restoration of the damage to the Pentagon and recently completed the project 3½ months ahead of schedule. They made it clear to the world that we have healed our physical wounds and are moving ahead with the business of this country.

Mr. Speaker, there are those who say that capitalism inevitably creates a dog-eat-dog world in which only the strong survive. Mr. Speaker, I offer to them the example of Facchina Construction and Mr. Paul Facchina. In a time of turmoil, we rely on people like this to remind us what America is about and to tell those whose lives have been turned upside down that everything will be okay.

The author said in a "Tale of Two Cities": "It was the best of times, it was the worst of times." Sunday, 7 p.m. a week ago was the worst of times in LaPlata, Maryland. We lost five people to that tornado; but Paul Facchina and his people and neighbors, neighbors who had been hit by the tornado, neighbors whose houses had been spared, businesses hit by the tornado came out into the streets right after that tornado passed to help their neighbors, help their community say

that they were not going to be defeated by nature, as we have not been defeated by terrorists.

Mr. Speaker, we all owe a debt of gratitude to these courageous people.

#### 4-H IS PREMIER YOUTH DEVELOPMENT ORGANIZATION

The SPEAKER pro tempore (Mr. DUNCAN). Under a previous order of the House, the gentleman from Illinois (Mr. DAVIS) is recognized for 5 minutes.

Mr. DAVIS of Illinois. Mr. Speaker, as a young person growing up, I had the good fortune to be a member of a 4-H club, and I rise today to recognize the centennial of 4-H clubs as one of our premier youth development organizations. Indeed, 4-H accomplishments over the past 100 years have helped developing youth to become productive citizens and are a catalyst for positive change, to meet the needs of a diverse and changing society.

Through the tireless efforts of 4-H over the past 100 years, and its sponsorship of numerous programs dedicated to developing our youth, the world is a better place. I applaud 4-H's history, and herald its future.

In the last 100 years, millions of 4-H members have raised their hand to recite the pledge: "I pledge my head to clearer thinking, my heart to greater loyalty, my hands to larger service, and my health to better living for my club, my community, my country and the world."

These words have been a blueprint for success. Millions of members have also lived by the 4-H motto: "To make the best better." Although the 4-H pledge and motto have remained basically the same over the decades, the 4-H movement has constantly sought diversity, both in its programs and participants.

Over the last 100 years: In 1902, A.B. Graham, superintendent of schools in Clark County, Ohio, organized a boys' and girls' agricultural club in Springfield Township.

1903 saw the development of corn clubs.

Pig clubs were later introduced, as were canning clubs.

Federal-State-county programs began to develop, and the Smith-Lever Act of 1914 established the Cooperative Extension Service, of which 4-H is a component.

During the 1920s and 1930s, 4-H expanded to Europe. World War II saw active participation of 4-H in the war effort. "Food for Freedom" was the slogan, and 4-H'ers were responsible for increased agriculture production.

Following World War II, international exchange programs were furthered in Europe, as well as Asia, Africa, and Latin America.

The decades of the 1960s and 1970s saw increased emphasis on participation by minorities and disadvantaged youth. In 1966, a national workshop was held in Chicago to expand 4-H for disadvantaged youth in both rural and urban areas.

In the 1980s and 1990s, 4-H focused heavily on Youth at Risk, highlighting school-age child care and education, community programming, and development of literacy and technological literacy.

4-H programs now span the gamut, touching on critical areas of our world: the environment; health, wellness and safety; workforce preparation; youth decision-making; biotechnology in agriculture; and community building.

I have been struck by the impact of these programs over the years and want to commend the University of Illinois and its agricultural extension programs. Not only are their 4-H clubs actively involved in rural communities, but its urban programming has been significant and productive.

Yes, indeed, 4-H'ers have indeed helped to improve the quality of life and to make a better world. So we proudly say when we pledge: "I pledge my head to clearer thinking, my heart to greater loyalty, my hands for useful service, for better living, for myself, my club, my country and for the world." Congratulations to a great movement, the 4-H Club.

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from the Virgin Islands (Mrs. CHRISTENSEN) is recognized for 5 minutes.

(Mrs. CHRISTENSEN addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

#### BLUE DOG DEMOCRATS AND FISCAL RESPONSIBILITY

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2001, the gentleman from Louisiana (Mr. JOHN) is recognized for 60 minutes as the designee of the minority leader.

Mr. JOHN. Mr. Speaker, I am very happy to be here tonight for the next hour to talk about something that is very important to a group of individuals that I like to coalesce around here, and that is the Blue Dog Democrats.

Before I get into talking about some of the substantive things that I would like to speak about tonight, mostly fiscal responsibility, I would like to give an overview who are the Blue Dog Democrats. Members might have heard several times about our group and how active we are, but we are a group of 33 individual Members of Congress from all over the country. We come from California. We have a Member from New York, a couple of Members from Georgia and Tennessee and Texas; but we come from all over the United States geographically. But what brings us together, what has brought us together and what has really gained us a lot of credibility in this body is our focus on fiscal responsibility.

We meet every week and we talk about different issues, but we do not

get involved in issues that split us apart, that we might not be able to get a consensus on. The Blue Dogs, when we are talking about an issue, when we take an issue, we go for it in a fiscal angle and a fiscal angle only, and that is the common thread amongst all of the Blue Dogs; and I am happy to be here tonight, along with several of my colleagues, to talk about a situation that we find ourselves in that, frankly, a year ago none of us thought that we would be in.

Last year when we debated the budget, the Blue Dogs warned, and we were precluded by the majority from offering our own budget. I thought Americans in their businesses and in their families would go through the same process that the Blue Dogs went through. It was a good budget with a plan to bring some fiscal sanity and some fiscal stability in the outyears.

But yet projections were that we were going to have a \$5 trillion-plus surplus over the next 10 years. Frankly, the Blue Dogs did not buy that. We bought it as deeply as we could define projections, and we looked in the dictionary and we looked at projections, and Members know what it says. It is just that. It is numbers put together, and with reasonably good accuracy or with educated people putting them together, but they were just that. They were projections.

Of course, we find ourselves now facing a situation of 180 degrees opposite. Not only are we not talking about a surplus, and that is really the funny thing as some of our Blue Dogs would like to talk about, the fight was over on where we were going to spend this \$5 trillion. We stayed focused in that fight, not about where we were going to spend that \$5 trillion projected surplus, but how we were going to handle it. Our cry back then was paying down the national debt.

Mr. Speaker, the national debt accrues every minute that I speak, every day that goes by at astronomical numbers, numbers that we cannot envision back in south Louisiana. We have over a \$5 trillion debt that we owe this country. We pay over \$2 billion a year in interest on that debt, not principal, interest on that debt. Prior to the plus-ups of the military budget of the past few months, it was almost as much money as we were spending on defending the country is what we were paying on our debt. So the Blue Dogs wanted to spend that money, and one-third, one-third, one-third was our program. One-third for paying down the debt, one-third for tax cuts because we were for tax cuts. We thought that was healthy for the economy, and one-third for spending priorities, priorities that were important to us: prescription drugs, our military, education and other important domestic programs that are so important to the infrastructure of this great country.

□ 1930

That was our plan. That plan was spending a third, a third, and a third.

We were not successful in convincing the other side that this was the way to go. And so we have sat back and tried to revamp our plan under the new scenario that we live in today. Needs have arisen. Needs have arisen from a fiscal standpoint that we would not have even dreamed of just a few 8 months ago. We need to take care of those needs. We are spending billions of dollars.

I make no apology about voting for not only the money that we have spent in bailing out the airlines but the money we have spent in homeland security, the money we have spent on border patrol and to our law enforcement agencies all across the country. That is something we have to do. But now that we have committed ourselves to doing that, I think it is more important than ever that we put together a plan, some blueprint, some master business plan that we can follow. We are a ship afloat today without a fiscal plan.

Frankly, it makes me very nervous, it makes the Blue Dogs extremely concerned, and frankly it should make the American people a little concerned about what we are doing today in spending the money that we frankly do not have, that our surplus has gone away. We live in a credit card society. The scenario we find ourselves in today, imagine that I as a parent with my twin boys would run up thousands and thousands of dollars of credit card bills and pawn them off to my 3½-year-olds. That is what we are doing. That is how we are treating Social Security today. That is why it is important that we have a plan.

The Blue Dogs came together and put together what we think is a very elementary plan, a plan that I think works for the future of this country and a plan that really brings back what we had going in the first, the middle and the latter part of this century. We were actually running surpluses in this country, running government and actually having surpluses and we could afford to give a tax cut. We could afford to make sure that we were taking Social Security off-budget.

I do not know how many times I voted, but I know that it was more than a half a dozen of times that we voted in our Social Security lockbox. Frankly, the key has been found and we have been raiding Social Security to pay for some good expenditures but also for some other expenditures and spending that we need to get a handle on.

Let me list some of the things that we have been spending money on, and they are some good programs. Our agricultural bill, our bill passed this body last week to the tune of, oh, \$73 billion, which passed out of this bill. The energy bill that is in the process has tax implications and cost. The Department of Defense authorization bill that we are going to do tomorrow comes at a high price tag, and the supplemental appropriations bill that we are going to

deal with next week of \$29 billion. Are all these dollars that we are spending going to good causes? Yes, they are. But we cannot continue to spend and spend and tax cut and spend with no plan.

That is what I am here tonight for and that is what you will hear from the Blue Dogs that are going to talk a lot about our plan, our vision, are some kind of blueprint that we can bring ourselves back on a course, a glide path to balancing our budget, not with Social Security, to making a commitment to paying down our debt because that is so important. That is what this plan is all about. The Blue Dogs, we like to call it our ABCD plan. It is not a plan that just has a facade. It is a real plan with real legislation. I am going to highlight them very quickly, then I am going to turn over some time to my friend from northeast Texas to talk about some of these issues.

First, A, assure honesty and accountability. Enforcing the budget rules that we have today would be a very nice way to start. We have a budget. It is a nonbinding budget, but we have a budget. But we do not enforce that. We do not even look at it, to be honest with you. We have a huge fight, this side against that side, this body against that body about where we should put our money. And then once we all fight about it and it passes, the majority normally wins in this body. Then we just kind of throw it in a corner and we go on about all the other things that we intend to do and do not really blow the dust off our budget and really abide by that. So I think that that is the first thing we ought to do. The gentleman from Indiana (Mr. HILL) introduced a piece of legislation to be able to do that.

How about pay-go rules? That is the jargon up here in the Congress that may go right over the head of some people, but it is really simple. Pay-go rules basically say that you cannot spend a dollar unless you have a way to pay for it. That does not seem to be very difficult to do when we in our households, in our budget and our businesses that we put together, we figure out a way to pay for it before we spend it. I think that that is important. That is A.

B is balancing the budget without raiding Social Security, something that this body has voted on many times, something that I really truly believe in my heart that this body wants to do. We want to make sure that we can balance our budget without Social Security. We did that for the last few years. But we are headed on a path to be able to raid the Social Security Trust Fund again and again.

The gentleman from Arkansas (Mr. BERRY) has introduced a bill, a constitutional amendment, which we hope that we can get a vote on this floor, that will basically amend the Constitution to require a balanced budget. It will also make sure that Congress needs a three-fifths vote to approve a



deficit or raise the debt limit. That is a whole other special order hour I think we can talk about, and doing all of that without including the Social Security Trust Fund, a constitutional amendment. Every American in this country would be for that. That is B.

C is climbing out of the deficit ditch. The debt limit was put there for a purpose, to put handcuffs on Congresses, past and future, that they cannot borrow just up to whatever the debt limit is. You get to a debt limit and it is sort of like the credit card limit on your car. If it is a thousand dollars, when you get to a thousand dollars, you cannot use that card anymore. That is what the debt limit does. The gentleman from Kansas (Mr. MOORE) basically has a piece of legislation that is going to deal with the debt limit, making sure that we abide by the debt limit.

Finally, I will end on D, something that is so simple I cannot believe that we cannot come to an agreement on trying to make this happen. If it takes a supermajority to raise taxes, why should it not take a three-fifths majority to borrow money? So if we are going to borrow money over the debt limit or borrow more money, this body should have a three-fifths vote to be able to do that. That is D.

That is the Blue Dogs' ABCD plan that we have put together. Of course, the D plan with the supermajority to borrow money is a piece of legislation that was introduced by the gentleman from Tennessee (Mr. TANNER). These three very simple but very important budget guidelines are something that we should enact, they are something that the Blue Dogs are going to continue to push because now is the time that we need to put a plan together. We are a Nation at war and we understand that and we are funding that, to the brave men and women around the country that are fighting the war for the freedoms to let me speak up here in the well, to let you watch this on C-SPAN, to let you do whatever you want to do and enjoy the freedoms. We are funding that. But we need a plan. We cannot continue, not today, not this hour, not next week without some kind of plan from a fiscal standpoint of how we climb out. Every economist in the world is telling us that we are going to be spending money and we are going to be running deficits.

In fact, let me draw attention to an article that was in the USA Today yesterday that talked about the debts and the looming fiscal crises that this Congress is going to have to face. It is a very good article. It is called "Fiscal Discipline Falters As Budget Deficit Grows." The gentleman from California (Mr. SCHIFF), a Blue Dog member, the gentleman from New York (Mr. ISRAEL) a Blue Dog member, sent out a Dear Colleague asking everyone to read this. This is what it is all about. I think they did a wonderful job at laying out exactly what has happened and not playing the blame game, not blam-

ing any one particular spending item or tax cut or the economy. It is a whole market basket of things that we have to deal with to climb our way out of it. But we cannot turn our back on it. We must have a plan. We must have a vision. That is what this plan seems to do.

With that, I will turn over as much time as he may consume to my friend the gentleman from Texas (Mr. SANDLIN).

Mr. SANDLIN. Mr. Speaker, I thank the gentleman from Louisiana and all the members of the Blue Dogs for working so diligently on the issue of fiscal responsibility. That is what our group is about. We can have many differences of opinion in the United States Congress. We can have differences of opinion regionally within the parties, but the Blue Dogs focus completely on fiscal responsibility for our Nation. We believe that it is important that if we want to address issues in the country such as Social Security, Medicare, education, making sure that our veterans are taken care of properly, making sure that we finance the war against terrorism properly, that we have a firm financial footing, a firm financial base, and that we have a plan in effect for taking care of those obligations of the United States Government. The Blue Dogs are committed to doing that in a fiscally responsible way, which means things such as investing in areas that are important and taking care of the country's debt.

As the gentleman from Louisiana mentioned, our debt is continuing to run at an alarming rate. It is imperative upon us in the United States Congress to address the issue of debt while we continue to operate the government in a prudent manner.

As was mentioned, the Blue Dogs have a plan called the ABCs. The ABCs are something we talk about in elementary school. It really is elementary. Much of this is elementary. All we are asking is that we operate the United States Government in much the same way that Americans operate their homes and Americans operate their businesses. It is important to know what revenues are available, it is important to know what obligations are out there, and it is important to plan for unanticipated obligations. And so we have developed a plan called the ABCs. Some call it the ABCDs. We are promoting that in the United States Congress as a way to promote a plan to get us on a firm financial footing.

One of the things that we think is imperative is that we keep our commitment to senior citizens and that we maintain Social Security inviolate, that we do not use the Social Security trust funds for any purpose other than for Social Security.

Originally the Blue Dogs came up with a plan that we felt should be supported by the entire United States Congress, because it made a lot of sense. Of course, as we know, that is not always the test in Washington. Something

that makes a lot of sense is always suspect. But our first and our initial approach at a concerned and conservative and fiscally responsible budget was to take the Social Security trust funds completely off-budget, completely off-budget, not to be used for any other purpose.

Next we wanted to look at what I call for discussion purposes the operating budget of the United States Congress. We wanted to take the operating budget, look at it and determine if we had an operating surplus. With that operating surplus, we wanted one-half of that surplus to go immediately to the country's debt, to pay down the obligations that this government and this country have already incurred. We wanted one-fourth, then, to go to tax relief for American families. American families work hard. American families pay taxes. American families try and invest in their families, in education, in their senior citizens. We felt one-fourth available for tax cuts would help American families. Then the remaining one-fourth would be used for investment in critical areas such as agriculture, education, veterans, unanticipated expense such as we are facing right now with the war on terrorism.

Later as our policy developed, as the gentleman from Louisiana mentioned, we talked about a division of one-third, one-third, one-third. But most of our pleas have fallen on deaf ears. Most of the time people in this body are not willing to make a plan. We vote independently. Each vote is independent. There is no long-term plan. There is no matching of revenue and obligation, and fiscal responsibility seems to take a back seat.

Last year we were facing surpluses as far as the eye could see and we were worried last year, believe it or not, about paying off our debt too quickly.

□ 1945

Now, in less than a year's time, we have seen a dramatic reversal of this once promising budgetary outlook, and we now face a projection of deficits and increasing debt for the rest of the decade. These are debts that we will be placing on the backs of the children of this country.

Now, obviously some of this is due to the economic slowdown; some is due directly to the September 11 disaster; some is due to the continuing expense of the war on terrorism. But regardless of the source of these deficits, Congress and the President need to sit down, roll up our sleeves and have an honest discussion about what we need to do to get our budget back in order, to bring fiscal responsibility to the United States. If we do not, we risk burdening our children and our grandchildren with the consequences of today's irresponsible budgetary decisions.

Further, we risk jeopardizing Social Security and Medicare, a critical and important source of security for our senior citizens.

Now, the Blue Dog Coalition has outlined four solutions to the budget problem, as mentioned by the gentleman

from Louisiana, and I am not going to go into those in any detail since he has mentioned them, but it is an elementary approach to fiscal responsibility. I think it is important, as the gentleman said, to look at pay-go, the pay-as-you-go or the pay-go rules which expire this year, and we would renew and extend the pay-go rules by establishing new 5-year discretionary caps, with separate caps for defense and nondefense spending. It would also require that any increases in mandatory spending be offset. We believe it should be more difficult to delay costs outside of the 5-year budget windows, thus making sure that we truly understand in the Congress and account for the costs of the legislation that we as a Congress are passing. That is responsibility. We need to know what the legislation that we pass costs and how it will be paid for. What could be any more elementary than that?

Now, as part of the ongoing honesty, and assuring honesty and accountability, we would require that the President conduct a thorough review of the war on terrorism and the costs associated with homeland security, and we would be willing to work with the President on plans in that way.

A is for accountability, as was mentioned, and we believe that we have to provide a framework, we have to be accountable, we have to show that the Federal Government can ensure and promise that the government is not jeopardizing the future of the children of this great Nation.

B is for the balanced budget. If we really want to get our fiscal house in order, if we are serious about this in the United States Congress, we need to start by requiring the President to submit to the United States Congress a balanced budget, and that balanced budget importantly has to include this feature for America. We need to balance the budget with a budget that does not tap into the Social Security Trust Fund, period. We have to get that done.

Now, our balanced budget proposal recognizes that in times of war or other threats to national security, sometimes it is necessary for the government to temporarily run budget deficits to ensure the safety of our Nation, the safety of our citizens, to make sure that our servicemen and service women across the world and across this country are provided for properly; that they have the best technology, the best equipment, the best training, the best leadership, the best that we can provide for our freedom fighters all across the world. Now, no cost is too great, but we cannot abandon the promise we made to senior citizens.

Mr. Speaker, senior citizens built this country. They have survived World War I, the Great Depression, World War II, Korea, Vietnam, the Persian Gulf. They have built this country, and they have seen good times and bad. They have lived the American dream. They

get up in the morning, they make a sandwich and they put it in a pail and they go to work and they make a product that is put out in the market that supports this great economy, sends our kids to school and supports our senior citizens. We need to reward people in this country that work hard and play by the rules. We tell people, "work hard, play by the rules, be responsible," and now it is our turn to be responsible and make sure that when those folks do that, that we do not abandon our senior citizens, the very people that made this country great and turned over to us the freest and best society that the world has ever seen.

Now, this year the President has pushed a budget that claims to be in balance, only because it taps into the Social Security and Medicare Trust Funds. That is the only reason it is in balance. I believe that to be irresponsible. We cannot balance the budget on the backs of senior citizens.

We believe that it is our fiscal responsibility to raise the debt limit only if we have a plan, only if we have a plan. Mr. Speaker, it is not irresponsible to say, before raising the debt, before making that decision, let us identify where we are, let us identify where we are going, the goal that we need to reach, why we need to get there, how we need to get there, and how we are going to get out of it. That is a plan. While certainly it might be necessary to do that, we want a plan and we would support raising the limit only if we had a plan.

Now, Congress will review budget estimates from CBO, the Congressional Budget Office, in August, and using those budget projections, we would require the President to submit a new budget to the Congress that balances the budget within 5 years without using the Social Security surplus. That is a part of the plan. Do we need to raise the debt, the debt ceiling, the limit? Maybe, if we have a plan. Do we need to look at all of the numbers from the Congressional Budget Office? Certainly, we do. And we need a budget that does not invade Social Security.

Last year, or I guess it was in 1997; it seems like last year, but in 1997 we passed the Balanced Budget Act. It was a great bipartisan effort. We had people from both sides of the aisle, Democrats and Republicans, from all regions of the country supporting the Balanced Budget Act and the Taxpayer Relief Act of 1997. It was a great bipartisan victory for this House. At the time the whip on the other side of the aisle said that we need, from the beginning of this Congress, that we want to negotiate with the President, but we cannot negotiate with a President who does not want a balanced budget.

I think that was wise and sage advice, and we hope that wise and sage advice will continue now as we negotiate with the administration and say, we want to negotiate, but we want to negotiate with someone that wants to

balance the budget and we want to balance the budget without invading Social Security and Medicare. We agree with that approach.

The House, as was mentioned, is going to look at the possibility of raising the debt limit and borrowing more money, as the gentleman from Louisiana mentioned, and we propose a supermajority, or a three-fifths vote, as the gentleman indicated, for such an action. We believe that to be reasonable, we believe that to be proper, and we believe that to be the way that this House can focus on the seriousness of that issue. We hope that the Congress will take that matter of increasing the debt very seriously.

Finally, let me mention one other thing that D could stand for, other than what the gentleman from Louisiana mentioned. D is for debt prevention. Not only do we need to reduce debt in this country and pay off our debt and be responsible, we need to prevent debt in the future. We cannot overstate the importance of taking care of our responsibilities and getting our fiscal house back in order. The principles that were outlined by the gentleman from Louisiana and the other Blue Dogs that have worked so hard on this issue would help rein in fiscal responsibility and ensure that we secure our children's future.

Mr. JOHN. Mr. Speaker, I thank the gentleman from Texas for laying out very eloquently the position of the Blue Dogs and also for giving a little background of where we need to go. The underlying message is that we need a plan, and the Blue Dogs have this plan.

Mr. Speaker, I yield now to the gentleman from Illinois (Mr. PHELPS) to talk further about the Blue Dog plan and our position.

Mr. PHELPS. Mr. Speaker, I thank the gentleman from Louisiana, and I thank the gentleman from Texas who just spoke. I wholeheartedly agree with my colleagues here this evening. While we may be repeating some of the same concepts and principles that we believe wholeheartedly in as an organization, the Blue Dogs, I hope folks take it within their consideration, because if we do not repeat what is important over and over, sometimes it is not taken in as it should be, so forgive us if we become too repetitive, but we are trying to do our best to emphasize what is important.

We are here tonight when Congress is out of session; we have adjourned for the night. But we have continued to try to be here, missing our dinners and other social events that we, quite frankly, like to go to and get some business done too, but we believe enough in what we are emphasizing tonight to sacrifice that time to make sure, before this session is over and this Congress adjourns for the year, that we have done our best to try to indicate to the American people the true picture of the situation and how we think it should be resolved.

So, Mr. Speaker, I want to thank my fellow Blue Dogs for their comments and for giving me this opportunity to speak out on such an important issue. I want to focus my time in discussing the Blue Dog plan for putting the budget back in order, starting with fiscal discipline. The Blue Dogs have consistently focused on fiscal discipline, having advocated honesty and responsibility in the budgeting process.

When Congress considered the budget last year, the Blue Dogs warned of the danger of making long-term commitments for tax cuts or new spending programs based on projected surpluses, really unrealistic projection of surpluses. In less than a year's times, here we have a dramatic reversal of the once promising budgetary outlook. We now face projections of deficits and increasing debt for the rest of the decade that go far beyond the temporary impact of the economic downturn or cost of the war on terrorism. Congress and the President need to sit down, have an honest, open discussion about what we need to do to put the budget back in order, starting with the ABCs of fiscal discipline, which is what we are trying to outline tonight.

My wife and I have raised four lovely children. We still have our youngest at home, who is just finishing his junior year at the University of Southern Illinois, the university that both my wife and I have graduated from, and he is taking his exams this week, so I hope he is out there studying. Our three daughters are married and working. My wife and I worked very hard in trying to communicate to our children, and through an example ourselves, how we ran the household when they were able and old enough to observe and know what was going on, and we reiterated over and over to be very careful on how you develop your spending habits. You do not squander what you do not have. You do not promise your friends and other people you will participate in activities when you know you do not have the means to participate. These are tough lessons in life, probably the toughest, but I am happy to say that they are fiscally responsible young people.

So I feel like my wife and I have been somewhat successful at this point. We know that some of the problems in marriages can stem from financial problems, and unless you work as a team as a married couple, committed to making and meeting your debts, and working and raising the money to meet your expenses, as part of growing stronger together and building an economy of your own, that also transfers into the economy of your community, of your State and of your Nation. How you are going to pay for the most important things, the priority things, the necessities, your utility bills. One cannot live without water and power and transportation to travel back and forth to work. Take care of those things first, the necessities. That is what we taught, and I am happy to say they

were intelligent enough and cooperative enough to be young people that have come now to be young married couples, soon to teach their children, and I have one grandchild, who will be learning, as he is four years old now.

As a legislator, I travel and talk to schools and am a former teacher, and my wife is a teacher. Our family has invested heavily in education. One of the things I try to emphasize when I am talking to young people, students, is I am trying to explain who I am as a Congressman. I am a legislator; I am a law maker. I legislate.

□ 2000

To legislate, what does that mean? The proper definition, if we will look it up, is to transfer the public's will into public policy.

Now, what is the will of the American people? I honestly believe the people that I have met and known in this body that I serve with today and people who served in the past that I did not get to know, I honestly believe they know the will of their districts. They know what the people really count as priority, what is important, what is most important.

There are a lot of things that we hold important that are never, maybe, within our means to be able to address fully and wholeheartedly as we would like.

But to transfer the public's will into public policy is a great responsibility. Part of that responsibility, and now I have grown to know that the biggest responsibility, is what we do with the money that we have been entrusted to handle, that we collect from people that are working every day, like the coal miner in my district that takes his lunch bucket and goes down in the bowels of the earth. Many of my friends have never returned from there. It is a dangerous occupation.

Or it is the farmers who are trying to feed us. Farming is a high-risk line of duty, one of the most unhealthy occupations in the Nation, the family farmer.

But the Blue Dogs have outlined four solutions to avoid leaving our children and grandchildren with the consequences of today's irresponsible budgeting solutions. Here are the ABCs.

A is ensuring that there is honesty and accountability; budget enforcement, in other words. Unless we renew our budget discipline, Congress will continue to find ways to break its own rules and pass more legislation that puts still more red ink on the national ledger.

Enforceable budget constraints, restraints, will shine a light on deceptive practices and construct a fiscal guardrail, keeping our spending within the Nation's fiscal means.

As my colleague, the gentleman from Texas (Mr. SANDLIN) said, those out there who work hard and play by the rules, they should expect us to follow them; even our own rules, which, from the parliamentary standpoint, with all

the specifics of what goes on here in this process, are probably not clear to many. Many of these are not clear to me. Even when they are, I am wondering if we would recognize the same ones on the same page, the wording and how it is interpreted.

But it is time that we lay everything out on the table, leave nothing off, just like we ask our families to do. I have told my children, do not count some expenses or some funds that are coming in twice. Some things are for certain things, certain important priorities: the utilities, for example, that I mentioned. Those are identified. We must lay those aside and at least put an approximate, sometimes a detailed and very predictable, expense that they can expect every month. I do not think we are surprised by what we know we have to pay for here.

So we have to be able to reconcile within ourselves what the rules are, enforce them, and ensure honesty and accountability.

B is balancing the budget without raiding Social Security. A balanced budget constitutional amendment, that makes sense to me. We must vote on a balanced budget amendment to the Constitution that requires the President to submit and Congress to enact a budget that is in balance, without using or raiding the Social Security surplus.

The amendment could be waived in times of war, of course, military conflict, or other threats to national security. Even that is pretty broad, because what some people might classify as national security, or the administration, that is what we deliberate on here, to see if we agree. But surely a majority out of 435 people, and 100 over in the other Chamber, with a President who makes pretty close to the same pledges and promises if they want to be elected or reelected, surely that cannot be too far off the bubble, I would not think, unless we are changing the rules after we get elected and do not want to face up to what we promised.

This includes excluding the Social Security trust funds. Balancing the budget is meaningless if we borrow from our children, and just go to our parties and play golf and have our fun, and tell the American people that things could be looking better: "Look up, let us be positive."

Members are not talking to anybody who is even halfway near pessimistic. I do not accept defeat or anything that is presented to me with doubt if I know I have done my best within my power. How in the world can the American people expect us to be looking them straight in the eye and saying that we are doing our best when we are willingly adding more debt to the debt that we are not even being honest about?

Sure, there are unforeseen expenses that come our way, such as the national security, terrorism, and recession, but we have a tendency to underplay what we want to and exaggerate what we want to just to sell what we

know cannot be accomplished in a certain realm of time, within the election proximity of time. When does reality finally strike what body of elected people? Will honesty and reality finally come to the surface and say, I cannot account for all those generations back there, and those decades of politicians, but I can tell you what I know? That is who I want to serve with, someone who will step forward and be counted.

A debt limit with a plan. Blue Dogs believe Congress has a responsibility to cover obligations through the end of the fiscal year September 30, 2002, and that is coming up pretty quick, but that raising the debt limit by \$750 billion as requested by the President is pretty risky business, in my way of thinking.

First, the President and Congress must create a plan to put our fiscal house back in order, just as the family facing financial problems must work with their bank to establish a framework, a financial plan, in order to get approval to refinance their debts.

But do Members know what they have to do before they can refinance their debts or begin their plan? The biggest word I know of: acknowledge that there is a problem, acknowledge that one is wrong.

I have heard our preacher say in our pulpit that one of the biggest words, misused words, is the fact that many of us want to say, oh, I made mistakes and I stubbed my toe, and I have done this or that. I wish I had it to do over. They leave out the word "sin," from a religious context. They do not want to acknowledge within their own lives what they have control over themselves that is going on wrong in their lives.

Do Members know what is going to happen to that person who has gone too far with alcohol or anything else? Unless they acknowledge it, they will never be able to control it or to come up with a solution, or have a plan; to be in that Alcoholics Anonymous, to change their lives in their own faith, because they have not acknowledged who they are down deep, what they have done. They have tried to sugarcoat it by saying, "I sure have made some mistakes." That is from a secular standpoint.

I might have said something wrong to somebody, maybe not guarding my words or not being as courteous. That is a mistake. But it is going deeper than that. Climbing out of the deficit ditch is going to take strong, courageous people to step forward acknowledging the problem.

Finally, defending our children from paying our bills, and having a supermajority to borrow money. All too often Congress and the President have been unwilling to make tough choices to balance our priorities, and have chosen to leave future generations to pay the bill for policies which benefit the current generation by increasing borrowing. Making it harder for Congress to borrow money by requiring a super-

majority will protect the rights of future generations who are not represented in our political system, but will bear the burden of our decisions today.

That is where we are at, that crossroads. Can we just do the simple ABCs? We cannot even put a word together or communicate or learn to read unless we know our ABCs.

I want to tell the Members something: the Blue Dogs know our ABCs. I hope we can convince enough of our colleagues to step up and eat that alphabet, even if it is the cereal of the morning. If they are on the floor trying to defeat or at least debate with me as a member of the Blue Dogs, I am telling the Members, I am ready to face them.

If they have different figures than the CBO or any other fiscal commission can tell us, if they do, let us sit down here together in the light of day and say who is wrong. And whoever it is, let us fire them, or we are paying them too much if they are not giving us the right kind of information that we all can drive this Nation to the right course.

Mr. JOHNS. Mr. Speaker, I thank the gentleman from Illinois for laying out what I believe is the best plan. It is a plan to get us back to where we really need to go.

Why do we need a plan? We talk about a lot of things in this Congress, but one of the most important things that we do is allocating dollars in the budget process and authorizing and appropriating, because that is where our priorities lie. They lie in where we put our money.

That is why it is important to have a budget that makes sense, that is not a deceitful one in any way, or with smoke and mirrors, but a budget plan that makes sense. I think it is really important, because let me give the fiscal roller coaster ride in a real broad picture about where we have come from over the last very few short months, it seems like. I will try to be very nontechnical, because it is not very difficult to understand.

Last year, the CBO projected that the government would run a unified surplus of \$5.6 trillion over the next 10 years, trillion with a T, and \$3.4 trillion of that surplus was going to be excluded from Social Security. So we were dealing with \$3.4 trillion over 10 years of money that we could or we were going to deal with for surpluses.

Actually, during the budget debate last year, as the Blue Dogs were moving forward in trying to make sure and drive home the message of paying down our debt, a lot of my colleagues on the other side of the fence were talking about, hold on, we do not want to pay off our debt too fast.

Boy, did that not happen. Less than 12 months later, the debt held by the public is increasing. Last year, Congress and the President agreed time after time after time again to put a lockbox around Social Security so that

these new projections that show promise now, so that we would never go back into the Social Security trust fund.

But now today, May of 2002, less than 1 year or just a little over a year from all of these projections, the government is projected to run, listen to this, Mr. Speaker, a deficit that will require the government to use Social Security and Medicare money from the trust funds for the rest of the decade. Those are not my words, those are the CBO's, the experts and the guys that do this for a living. They said for the next decade, and it is only 2002, Mr. Speaker, so that is the fiscal picture that we have painted ourselves into. That does not even count the continued war on terrorism, the continued homeland security, and other very important programs that this Congress I know is going to want to put at the front lines.

What does this mean? This means a higher debt. We spend nearly 14 percent of our Federal dollars, 14 percent of our Federal budget goes to the interest on our debt. I mentioned a little while ago that it is over \$230 billion a year in interest. But for those who are percentage buffs and pie chart people, 14 percent of our budget goes to paying off the debt that we have incurred, something that we could have started to pay down over the last few years.

Even the experts agree that spending this money on interest, and we all know what that is; it is not unlike, or in fact, it is exactly the same as the little line item that we have on our credit cards when we do not pay the balance off that says finance cost, interest cost on the money that we spent that we did not pay back over a year cycle. So that puts it in the context of our everyday occurrences. It takes away from the money that we could be using to pay down the debt, that we could be using in one of the most important issues that we need to address in Congress: educating the children, the next generation, the next Members of Congress, the next people who will protect this country. Also, it is health care, prescription drugs.

By continuing not to focus on paying down our debt, it takes money away from the things that are so very important.

□ 2015

But the most important, I believe, problem that this causes, when we talked about tax cut and many of us including myself voted for President Bush's tax cut, it was August of last year when we voted on the tax cut. The economy was starting to slow and sputter a little bit. September 11 had not happened just yet. And our life changed a month from that, but many of us voted for these tax cuts. Some of us voted for them and, of course, did not like some of the areas that we were cutting. I thought we could do better in spurring our economy and putting money back in other areas. But it was a package.

This is Congress. There are 435 people, and I think it was an okay deal that we dealt with. But as we moved out of this tax cut and moving into the areas of having to pay debt, increase our debt and look at deficits, we have to reevaluate some of the things we need to do. And one of the things, the biggest drag on our economy is debt payment and deficits. I think that that is agreed to by many economists, and I think that is very important. And what does that do in the whole ball game? Because I believe the most important tax cut that we could possibly have that everyone enjoys is keeping interest rates low; interest rates on your house, interest rates on your credit cards, interest rates on your auto loans. And that is what I think we need to continue to be mindful of as we move through, I think, a very, very, very important and critical crossroads as we are starting to develop the 2003 appropriations bills and the other bills that we are going to be dealing with for spending.

But I think it is important that we have a plan, a plan that puts fiscal handcuffs on us, to save us from ourselves sometimes when we are having to spend and wanting to make sure that we are providing the best kind of services for our constituents back home, whether it is roads or education or health care or veterans' benefits. But at the same time trying to do it in a very frugal way to make sure that we are spending the taxpayers dollars the best we possibly can. And that is what the Blue Dog plan does. It has been laid out very nicely tonight by my friend, the gentleman from Texas (Mr. SANDLIN), and my friend, the gentleman from Illinois (Mr. PHELPS).

And maybe just to recap it very quickly because my time is running out, it is again the ABC's. It is honesty and accountability in budgeting. It is balancing the budget without raiding Social Security. It is climbing out of the deficit ditch by making sure that we have limits and abide by those limits; and, D, of course, is defending children from paying our bills and our debts that we are accumulating over these few years, and that would require a supermajority to borrow dollars. So those are the ABC's the Blue Dogs are going to continue to push until we get a plan together that makes sense, that brings us into the next century, that brings us through this war time and times of great difficulty as we are having to deal with issues we did not dream of dealing with just a few months ago.

I thank the Speaker for this very lively hour of debate, and I just beg that the American people and the majority and this Congress look at the Blue Dog plan, take it for what it is worth. It is not just rhetoric. We have bills that are in the hopper that identify the ABC's of how we get out, bring fiscal sanity back into this Congress.

#### SUPPORTING THE UNITED STATES LEAVING THE INTERNATIONAL CRIMINAL COURT

The SPEAKER pro tempore (Mr. GRUCCI). Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. MCINNIS) is recognized for 60 minutes as the designee of the majority leader.

Mr. MCINNIS. Mr. Speaker, I look forward to our discussion this evening. There are a couple of things I want to talk about. But first of all, I think it is important to address some of the comments that have been just made in the last hour.

First of all, we ought to point out that the Blue Dogs who spent the last hour criticizing the administration, criticizing the majority party, never bring out in these comments that the Blue Dogs, in fact, are all Democrats. This last hour was a very partisan, one-sided point of view. This is exactly why we run into budget difficulties.

Now, I agreed with some of the points that were brought up by these gentlemen. But I was amazed to hear these gentlemen, the gentleman from Illinois (Mr. PHELPS), the gentleman from Texas (Mr. SANDLIN), and the gentleman from Louisiana (Mr. JOHN), talk about how we have to control spending. We have got to stop the pork. We have to make sure we, as the gentleman from Louisiana (Mr. JOHN) said, lay everything out on the table. We have got to watch these spending programs that are outrageous.

So I was curious. I decided to see how all three of these gentlemen voted on the farm bill, which is probably the biggest budget buster we have had up here in a long, long time. Now, clearly, somebody who spends an hour advocating a balanced budget, who spends an hour advocating these so-called Blue Dog ABC's about avoiding pork, about accountability and honesty in government, about voting here as you talk to your constituents back there, certainly you would expect that these gentlemen would be the first to stand up to a bill like the farm bill which, although it has a nice-sounding name, helps very few farmers in this country. It helps a lot of corporate farmers in this country. And take a look at where this bill started; take a look at where it started and where it ended up.

How many billions of dollars more were added to it as it went through these Chambers? So you would expect these three gentlemen to, of course, vote "no" on a project like this. But all three of these gentlemen who spent the last hour attacking the administration, who spent the last hour attacking the majority understand this Blue Dog which means Democrat concept, all three of them voted for that program. All three of them voted for "yes" on what is, and I say it again, the largest budget buster we will have up here this year.

Now, look, maybe their constituents wanted them to vote that way and maybe they are representing their con-

stituents. I am assuming they probably are. If they come from a farm community maybe they are. But for gosh sakes, do not vote one way and talk the other way.

I once had somebody tell me, if you want to stay elected in Congress, especially when you get outside the Northeast where it is solid Democrat, but out where most of the country is and that is moderate to conservative, go ahead and vote liberal in Washington but when you come home vote conservative. Go ahead and talk about a balanced budget when you are back in your district, but at the same time make sure you bring the pork home. And in my opinion that is what has been reflected in the last hour.

So if you want to talk about accountability, if you want to talk about lay everything out on the table, my three colleagues should have probably said, oh, by the way, the only exception we have to the comments and the attacks we are making on the majority party, the only real exception we have that does not apply to our rules that we have just told you about for a balanced budget and fiscal responsibility is our own farm bill. Now, understand we are going to vote for our farm bill, but aside from that everything else ought to be scrutinized.

That is the problem back here. I mean, all of us, that is where you have got your problem. But I have sat here for the last hour, most of the last hour, and was amazed that first of all my colleagues stand up and make it sound as if they are some independent organization out here when, in fact, your Blue Dogs are comprised solely of Democrats and the attack was solely against the Republican majority. It was a partisan hour. That is fair game. That is what the House floor is for: debate. But somebody has got to stand up and say, wait a minute, just as they said should be done, let us lay everything on the table.

And that is why I was curious and went back and looked at the actual voting record to see how one would speak on the floor but how one would vote outside the presence of the speech that they were giving. And I saw an inherent conflict. In other words, the vote that was taken on the farm bill certainly did not at any point in time in the last hour match the comments of the gentleman from Illinois (Mr. PHELPS), the gentleman from Texas (Mr. SANDLIN), or the gentleman from Louisiana (Mr. JOHN). And they are all gentlemen. Do not get me wrong, they are colleagues of mine. They are professionals. I would assume they represent their districts well.

My point here is not an attack on these three individuals. But I believe in what they are saying and that is accountability. And if you are going to talk about a balanced budget; if you are going to talk about getting rid of pork; if you are going to talk about avoiding budget buster bills, then you ought to talk about that farm bill. And

you ought to say to your constituents, look, I talk about this budget buster, the balanced budget, the pork stuff; on the other hand, I voted for you on this farm bill.

I think a balanced budget is important, but the only way we will break this is for you to take some tough votes, even when those programs apply to your particular district.

Mr. Speaker, I wanted to spend the majority of my time this evening, I actually had an interesting visit with a constituent and good friend of mine. His name is Mr. Stroobants. And we got to talking about world jurisdiction and the United Nations. You know, the action taken by the President in the last few days, I felt obligated to come and speak about that action.

The action was that the United States intends to pull out of the United Nations Criminal Court or the International Criminal Court.

I want to spend the next 30 or 40 minutes talking about what is the international court. How does that compare to the court system we have in the United States? What does it do to our sovereignty? What are the political ramifications of conceding sovereignty or conceding authority over the American people, the United States Government of ceding our judicial authority over our people to other countries? For example, to a court that is primarily dominated by our friends in Europe, by the European Union. By a court that allows countries like Cuba, Libya and some of these other countries the same vote as the United States of America. By a court that, in my opinion, despite what the United Nations propaganda might say, despite the push that they are making out there, that a court here, instead of being one that would pursue actual criminals, like the likes of bin Laden and people like that, would over time be used to pursue American citizens.

The United States of America is a sovereign country. The United States of America does not cede any authority of how we run our government, of how we elect our public officials, of how we have our court systems or our executive branch, of our judicial branch, of our legislative branch. That authority is determined by the Constitution of the United States of America. And our Constitution does not contain anywhere within its four corners a provision that allows the United States of America to give its authority to a worldwide power.

The United States of America, to remind ourselves of a little history, was created because we wanted to become an independent Nation. We wanted to be a Nation that had its own people, a Nation of its people by the people and for the people; a Nation that stood for what we have thought was good. But what has happened is that we were seen more and more with the European Union more and more we talk about the European United Nations, more and more talk about a one-world gov-

ernment; a government where all laws will be decided by one authority; a government that would have a military under one authority; a government that would decide what your environmental regulations within the boundaries, within your own borders would be decided by. That is a socialistic type of approach.

It is very clear that in Europe most of those countries are headed towards a socialistic type of approach with the European Union-type of adventure, so to speak.

Now some parts of the European Union may make sense. I think it makes sense for the United States to join with Mexico and to join with Canada under our NAFTA agreements so that we are an economic bloc. And so I see why countries in Europe want to join together. So I understand why countries in Europe want to form an economic bloc, come together for the sake of economics. But it is a long way from coming together as an economic bloc and that of ceding your sovereignty to another country.

□ 2030

Mr. Stroobants pointed out to me very clearly, he came to this country from Belgium, and he came to this country because this country was a capitalistic country. It was a country of democracy. It was a country that had its own checks and balances within its own borders.

We have a very well-defined system as presented by our forefathers under the Constitution and under the Bill of Rights, but what is happening in the international community is they want to form an authority that has oversight, that is a higher authority for the people of America, than their own government in America. The United States people should not cede one inch of sovereignty because let me tell my colleagues how they draw it in.

Take a look at the United Nations and the propaganda that they use to talk about how great this World Court is.

Number one, it is a permanent structure. It is not like the Nuremberg trials where we convened an international authority for a short period of time to try a very defined group of war criminals. That is not what this is. This is a permanent court, a worldwide court that will exercise authority over American citizens. How did we ever get there?

President Clinton signed it on the last day he was in office. This does not ratify it. President Bush has given notice that the United States of America will not participate in this World Court, but how did we get there? That is the answer. On the last day of office, about the same time that the Mark Rich pardons were signed, President Clinton signed this deal as one of those who agrees with the World Court. That is not the exact buzzword, but that is in essence what happened.

Fortunately, this week, the White House, President Bush, has given noti-

fication to this so-called World Court, to the United Nations, that the United States of America will not participate, will not participate in an exercise that deviates in any way or subtracts in any way the rights of American citizens.

The authority for judicial oversight of American citizens belongs to the American people. It does not belong to the people of Cuba. It does not belong to the people of France. It does not belong to Germany or Belgium or Russia or China.

The judicial authority over American citizens belongs to the government and to the people of the United States of America. This is their government. In our country, this is our government. This is not the government of the French. This is not the government of Belgium. This is not the government of some other country out there.

Let us talk a little bit about what this so-called World Court does. First of all, remember, that every program out here, earlier in my comments we talked about the farm bill, for example, every proposal here, every bill that starts here has a good sounding name to it, and frankly, some of these start with pretty good intent, but once we create it, it is like a government program. Once we create this bureaucracy, we will never again disassemble it, and that bureaucracy will only grow and grow and grow.

Think about it. Take a look at the United Nations as an excellent example. Fortunately, before the United States entered into being a partner with the United Nations we reserved to ourselves that overriding authority of the power of a veto. Four countries have it. We have one of them. So, at any time we feel that we are ceding sovereignty to the United Nations, we can exercise our veto, but what happens with these organizations?

They start out with a good attempt. They are not about to tell us they are going to exercise their authority going after Americans who they think may have violated crimes against humanity because their gas tanker spilled on an interstate and had fuel going into the water or because they decide that for some reason that there has been a criminal violation by some elected official in the United States. That is not what they are telling us now.

That is their goal. The goal here by the European Union, the goal by the other countries in this world is to exercise an authority over the United States, the likes of which has never been accomplished in the history of this country. This is a critical, critical issue for us. This is a sleeper. This is one of those things that sounds good, and sign on the dotted line, we will read the fine print later.

We better look at the fine print today, and thank goodness, over on the executive side of this city the President, George W. Bush, did look at that fine print and did notify the world, look, United States is not going to enter into this arrangement. We are



not going to enter into an agreement into which, I, as the President of the United States, cede the sovereignty of this country, to which I give someone else one iota of authority other American citizens from a judicial perspective.

Let us talk about the details of this World Court so that my colleagues have a pretty good idea of exactly what they are asking for.

The United States court system, as we all know, in our government, we have the executive branch, the legislative branch and the judicial branch. I am not trying to be talked down or be repetitive about history or how the political structure in our country is, but there is a fact that in our Constitution, our forefathers looked into the future and said in order for this system of capitalism, this system of democracy to work, there has got to be checks and balances. There has got to be a way that everything is filtered through before the final process.

Those checks and balances, they designed it into our system, first of all, with that wonderful document called the Constitution and then that document in the Bill of Rights, and then the document in creating a Supreme Court, and in our court system in this country, unlike some countries, but like many other countries, in this country, the courts do not make the laws. The courts are there to interpret the laws, and it is a very clearly defined separation of powers between the legislative branch, which does create the laws, and the judicial branch, which enforces and interprets those laws created by the legislative branch.

In other words, a judge in a District court or in a municipal court, let us say in Glenwood Springs, Colorado, the municipal judge there has no authority on their own to create law. They have no authority on their own to just out of their own conjuncture, say all right, this ought to be against the law, I am going to make it against the law.

We have accountability of those. Not only do we have accountability that the Justice Department does not create laws, we have accountability within the Justice Department and within the judiciary branch, and that is the process of election. For example, the municipal judge that I just spoke of, that municipal judge answers to the local city or the local authority. For example, the municipal judge in Glenwood Springs is held accountable to the city council of Glenwood Springs, and the city council of Glenwood Springs is held accountable to the voters, and it goes that way all the way up to the United States Supreme Court.

In our country, the United States Supreme Court justices must be confirmed by the United States Senate. So we have lots of checks and balances. That is a very important element of the United States judicial system, and we will find that system is completely absent, completely absent from the World Court once they put that court

into place. Once they put that prosecutor into place, they can create their own. They have no checks and balances. They answer to no supreme authority above them.

In this country if a district court or a municipal court or a county court or some other type of quasi-judicial process out there, ultimately they would have to answer to the United States Supreme Court and the United States Supreme Court justices answer to the United States Senate and the United States Senate answers to the voters, and it goes on and on and on. That is absent. Those checks and balances are absent from this proposed World Court.

So here is the U.S. court system. Checks and balances. Again, very critical in our system. Another check and balance, by the way, the rights of the defendants, the rights of the victims. Those are a constitutionally guaranteed right. The Miranda warning, for example.

I used to be a police officer. When we had somebody who was a suspect, we arrested him as a suspect, we had to give them constitutional rights. Why were those constitutional rights in place? Because it was a check and balance, designed in the system to protect the system from abuse, but this World Court has none of those kinds of rights. They are not required to advise anybody of their rights. There is no right to demand a jury trial in this World Court. There is no right to demand an accuser in this World Court. It is in our Constitution. None of those rights will we find in this new proposed World Court. In other words, we are losing a big check and balance there.

Let us move on. The authority. The U.S. court system has authority. Clearly, they have authority to issue subpoenas. They have authority to conduct trials. They have authority to bring together a jury pool. They have authority to interpret the laws, but their authority has checks and balances, and the authority of the courts of the United States of America are reserved for the people of the United States of America.

In other words, this judicial system is designed for the United States of America. It is not a custom designed court system for any other country in the world. It is ours, and the authority over the American people does not rest with the Chinese courts. The authority over the American people does not rest with the courts Fidel Castro puts together down there in Cuba. The authority over the people of the United States of America does not rest in Paris or in Rome or over in Germany or in Belgium. It rests with the courts of our country.

We should not under any condition give the authority that our courts have over us, over the U.S. citizens, over this geographical location, over this Nation. We should not at any time give even a small sliver of that authority to an international organization that is permanent in structure, that in fact

claims higher authority over our citizens than our own court system is allowed by our own Constitution.

Jurisdiction. Think of the jurisdictional issues. This World Court wants jurisdiction, for example, over World Heritage sites as designated by the United Nations. The reason there is so much momentum right now for the World Court is we all want to get bin Laden. Bin Laden is a terrible, terrible criminal, but the fact is that bin Laden will come and go. He will over a period of time be eliminated, and this court will be looking for new ventures, new venues under which to exercise its authority, and I will tell my colleagues where they are moving next.

The next place they are going to move is on the environment. Now, we all want a clean environment. That is not the issue we are talking about here. The issue is should we allow a court in Rome, a World Court, the jurisdiction to charge somebody say in Lynchburg, Virginia, with an environmental violation as a crime against humanity?

For example, let us say that a gasoline truck driver is driving recklessly. He wrecks his tanker and the gasoline spills on the interstate near Lynchburg, and it goes into the water and causes some harm in the water. Should that person be subject to the courts of the United States of America? Well, of course. That is our Constitution. That is our Criminal Code. That is what the court system is designed for.

When that truck driver, for driving recklessly and causing an environmental spill, when that truck driver is arrested, he or she has certain constitutional rights, and they have a right to a jury. They have a right to their Miranda warnings, et cetera, et cetera, et cetera. Well, under this proposal of a World Court, we cede that authority, and over time we will give more and more or maybe not give it, they will claim they can take more and more authority because we signed the treaty creating it.

The next thing we know the World Court is going to be sending investigative enforcement officers to Lynchburg, Virginia, to take a look at this accident and decide whether or not the World Court should indict that truck driver who had that environmental spill. This is not exaggeration. This is exactly where this thing is headed.

I am not trying to cry wolf here. I have just seen programs like this created. Take a look at the birth of the United Nations. If we did not have that veto power, take a look at the authority the United Nations would try and exercise over the United States of America.

□ 2045

Take a look at how many members of the United Nations voted on a consistent basis against the interests of the United States or opposite of the United States over the last several years. You will be astounded.

You see, the United States of America, this kind of system, United Nations and this kind of system, an international court, will be used as a political tool, and thereupon lies the threat. That is why we have to be very careful that the jurisdiction over criminal activity, over civilian activity by U.S. citizens or within the borders of the United States of America or its territories, that we keep that jurisdiction in our country; that that jurisdiction rests with the citizens of the United States and not with the citizens of some world court, which is comprised of countries throughout the world, who probably, most of the time, do not have the best interests of the United States of America or, more importantly, its citizens in mind.

We may very well find a world court that decides they are going to launch a criminal investigation into the City of Denver because the City of Denver, Colorado has air pollution coming from vehicle emissions that pollutes the air to an extent that they think it is a violation against humanity.

And there is no definition of how far this world court can go. That is exactly why President Bush has withdrawn from that court. The President recognizes that there are issues of sovereignty; that there are issues of politics; that there are dramatic issues involving jurisdiction. We are not a one-world government. This world court, maybe it will work for the European Union, maybe those countries, the countries of Belgium or France or some of the other members of the European Union, maybe they want to give their national sovereignty and their national jurisdiction to a one-unit court that is a world court, but the United States of America does not want to do that. And, fortunately, the President stood strong on this.

Now, many of my colleagues will be reading in the next few days a lot of criticism coming from, guess who? Of course, the special interests, the world court, the European countries, and the other countries that know they have an opportunity to gain a huge advantage over the United States if they can get the United States to join this world court. These nations will know that for the first time in the history of the United States, our system of government has ceded its jurisdiction or its sovereignty, or at least a portion of those two, over to other governments. They will be elated if we sign up and participate in this so-called world court.

Now, keep in mind, this differs from the United Nations. In the United Nations, colleagues, we have retained the power of veto. So no matter how many times those other countries vote against us, no matter how absurd or focused or politically motivated they become against the interests of the United States, we always retain the ability to exercise a veto. In the world court, the United States, in the creation of it, and the judges that are

elected, there is no oversight once they are in. But in the initial authority, the United States has as much authority in this world court as does the country of Cuba, as does a country like Syria or some other country that wants to join it.

This is not a court that some in the United Nations would like us to believe is intended to pursue the criminals that have taken such horrible and devious actions against the United States of America. This is a court that will assist those people. And I read an excellent article by a gentleman named Tom DeWeese, and I want to give Mr. DeWeese credit, colleagues, for this. He says U.N. criminal court threatens U.S. soldiers, threatens U.S. soldiers, in the fight against terrorism.

Now, I do not like to read written comments. I am not going to read this article verbatim in whole, but I am going to take some excerpts from this article because I think this is excellent and I think it solidifies and supports the point that I am making here this evening.

The United Nations sells the version of the ICC. Now, the ICC is the world court. He says ICC, I am going to put world court in there. The United Nations sells the vision of a world court as a tool for bringing international criminals like Saddam Hussein and Libya's Qadhafi to justice. The truth is the court is more likely to be used as a tool for those criminals against the United States.

Let me go on. The world court defines as a war crime any attack by our soldiers with knowledge that inescapable collateral deaths or injuries, quote, to civilians or damage to civilian objects or widespread long-term damage to the natural environment, meaning if we are engaged in a war and we cause long-term damage to their environment, in other words when we bomb Afghanistan, if we, as a result of our bombing we damage the environment on a long-term basis, and it was clearly excessive in relation to the concrete and direct overall military advantage anticipated, then we are subject to a violation of their criminal code.

In other words, you can have a war, as Tom says, but do not break anything and do not hurt any civilians and do not hurt the environment.

Let us go a little further. He says, and he is accurate, war is not a video game. It is not an Olympic event. You are going to have innocent people killed in a war. You try to avoid it, but in every war ever known to man there has been collateral damage. And how would you attack Afghanistan without doing some damage to the environment? How would you sink a ship without doing some environmental harm to the ocean? You have a ship that has sunk into the ocean. How would you intercept a missile coming over the skies without damaging the environment by exploding the missile in the air?

Now, some would say that that kind of thing would not happen. I want to tell you, colleagues, how many programs have we seen created back here or worldwide where when they initiate the program they assure you over and over again, that is not going to happen; that is an exaggeration; we are not going to go that far; that is overreaching. Then, pretty soon, that institutional memory of what was originally said was overreaching in fact comes within reach, and the next thing you know, it has been gathered and put in the nest. That is a concern.

Here I continue with this article. The court can prosecute anyone who violates United Nations treaties. This world court can prosecute anyone who violates United Nations treaties, including environmental agreements, like the Biodiversity Treaty and those covering world heritage sites. For example, if we had entered into the Kyoto Treaty, and there was a company or a business, let us say a printer, a printer had some ink and put the ink in the wrong garbage can and it was a violation of some type of international treaty, even a Kyoto Treaty; or a U.S. company based in, let us say, Connecticut, had emissions that violated Kyoto, they could find themselves in front of a criminal court that is a worldwide court. That is the absurdity of what we are talking about here.

My reason for speaking this evening, and I will go through these other points, but my reason in speaking this evening is to give some support to what the administration has done. I think of any action I have seen the administration take, next to proposing to get rid of that death tax, but any policy I have seen them take, from the judicial system point of view, it is the administration's decision to back out, not to join in this effort or this new configuration of a world court. Kudos to the administration.

I think it is our obligation, every one of us, to join the President in that effort. Anybody in these Chambers who would vote for the creation or for the entry of the United States of America into this world court, they need to go back to their constituents the weekend after they vote and explain to their constituents that they just ceded over to a world court, to wipe out checks and balances of our judicial system and cede over the authority that belongs, and has belonged throughout the history of this Nation, since this Nation was created, the authority that belonged to this Nation, that as a congressman or congresswoman they felt it necessary to share that authority with other world governments and jurisdiction.

My colleagues need to go to their constituents and say to their constituents, look, I decided to support the world court. I have decided to give jurisdiction over so-called criminal activity, which could become civil activity, but is originally proposed as criminal activity, I have decided to cede

that authority to other governments in the world and, for the first time in the history of our country, take that authority which was reserved solely for the United States, the body of the United States Government, that was reserved solely for this government, and as an elected leader of this country have decided that it would be better placed in the hands of a foreign country, in a foreign world court.

That is what happens if we do not support the President on his decision not to join the world court.

Let me go on. Another right. The United States, since day one of our history, has always recognized the inherent right of self-defense. Nowhere in the documents that I read of this so-called world court, nowhere in the documents that I read about this world court is there an inherent reserved right to self-defense. It does not exist, to the best of my knowledge.

Let us talk about sovereignty again. For those of my colleagues who think they can support or think they are going to oppose the President's decision, remember the President's decision is that the United States will not join an international world court, but for those that object to that decision, they need to be prepared to explain to the American people and, frankly, to explain to their colleagues, I think, why they are willing to give up sovereignty that has always been reserved not for this court down here but for the government and for the people of the United States.

And let us talk about the political aspect of it. Take a look at what happens with politics. Now, I had a very vigorous discussion with my very good friend Mr. Stroobants. I have had a vigorous discussion with many of my colleagues. But take a look at how the propaganda in this world, the worldwide press can turn propaganda into a media-eating machine. They can present a picture that may or may not be accurate. And the best example is to pull out *The New York Times*, pull out any of the major newspapers in this country and take a look at any European country, take a look at the BBC, take a look at CNN, take a look at any news media you can find that has worldwide reporting, say about 4 weeks ago, and see what kind of political propaganda they were putting out there about the massacre at Jenin. Take a look at it. Take a look at what they talk about, the massacre that took place over on the West Bank.

Well, guess what happened? You know what happened? No massacre took place. Sure, there were soldier deaths, there was some collateral damage. I can assure you we have had collateral damage in Afghanistan. But all of a sudden, the media has become quiet. In fact, there was no massacre. In fact, one of the most liberal organizations in the world, that apparently sent their own investigators out, came back and said, well, we did not like what they did, but there was no massacre that took place.

Well, that example is the same kind of thing that a world court can do. A world court condemnation, for example, of things that are the business of the United States, they can turn worldwide opinion against the United States. This worldwide court could be manipulated so easily. Why could it be manipulated? Because it has no checks and balances.

Now, every court system can be manipulated, but the way you minimize that manipulation is to have checks and balances. You have weights and counterweights. So in the United States, where a court may be manipulated, and there are arguments on that, for the most part it is the best system that the world has ever devised because it has those checks and balances. But in the world court system, what check and balance exists? Nothing. What kind of restraints are on the prosecutors? Nothing. What can the prosecutor decide to do? Anything he really wants to do, as far as criminal prosecution. And I think, over time, it will be turned into civil prosecution as well.

What kind of geographical limitations will there be on this prosecutor? None, at least for the countries that sign up for this world court. What kind of claims can be made by this prosecutor against government officials? It is amazing. You know, if they decided that they felt that Henry Kissinger had not done a good job, this prosecutor could actually put out an arrest warrant and have Henry Kissinger arrested at an airport when he lands in Paris. This court actually has the jurisdiction to prevent U.S. citizens from going anywhere because of the concern for arrest.

Take a look at what this court would do to our American men and women fighting in our military.

□ 2100

If this court, comprised of all of these other countries, including Cuba, and other countries that we have on our terrorist list, if this prosecutor decides, he may say the American soldiers, I do not like what they did so we are going to charge them with criminal acts against humanity. That is what I mean by the political nature of this world court.

So the arrow that I have pointing down here means exactly that. We would dive it right into the ground if our government was to give up an inch of jurisdiction or an inch of sovereignty when it comes to the judicial system that this country has perfected.

Very briefly, America believes in justice and the promotion of the rule of law, and the rule of law is very balanced. The rule of law has been set by legislation, by statute, by precedent. It has been set by experience. The courts in the United States are not fresh created courts. These are courts with 200-some years of experience. These are courts which have been tested and have checks and balances. That is what the United States thinks is necessary.

Those that commit the most serious crimes of concern to the international community should be punished. We agree that the Hitlers, the bin Ladens that commit heinous crimes against people should be pursued. That is why the United States was the primary sponsor, underwrote it, played the major role in the Nuremberg trials; but those were trials of a temporary nature, and those were trials that had numerous checks and balances and which had sunshine transparency. Those trials and that system has a lot of differences from what is being proposed under the world court system, that states, not international institutions, are primarily responsible for ensuring justice in the international system.

Our belief in this country is that not an international government or an international court should have oversight over specific countries. Those countries have laws of their own. Every country ought to be able to have their own judicial system and not be subject to the whim and call of some prosecutor in a so-called world court.

But the best way to combat serious defenses is to build a domestic judicial system, strengthen political will, and promote human freedom.

Finally, let me talk about this world criminal court here, what is on this poster, because it is important. It undermines the role of the United Nations Security Council in maintaining international peace and security.

I am not a big fan of the security council, but the fact is that we are a part of it. The reality is that we do have control and a veto, and so we cannot be run over in an avalanche of countries that do not like the United States of America. But this security council is beginning to dilute its own authority. We can live with the security council authority because we have the right of veto. To get around that right of veto, we are finding countries that are getting the United Nations to say let us take that authority from the security council of the United Nations, and move it over here to the world court because in the world court the United States of America does not have a right of veto. We can finally get our hands on American citizens, or we can dictate what citizens of America, the laws that they will be subject to, even within their own boundaries. Thank goodness the President did not agree to this and stood tall and said that the United States will not be a participant in this world court.

It creates a prosecutorial system that is unchecked in power. This prosecutor of this world court will have more power than any other prosecutor, in my opinion, in the history of the world. This prosecutor will have the right to go past national boundaries, to go past state boundaries. This prosecutor will have the right to reach into small communities and villages, high atop the mountains in Colorado, or reach into the major cities of Moscow or Berlin or Brussels or Paris; his or

her reach will be unparalleled anywhere in history. Should we sign off on that? Should anybody in this Chamber agree to a world court system like this? This thing almost became a reality until the action taken this week by the President.

Let me go down here, a search jurisdiction over citizens of states that have not ratified the treaty that threatens U.S. sovereignty.

The United Nations claims under the World Heritage site, they have authority over what goes on at Yellowstone National Park or that under worldwide environmental laws that the United Nations has come up with, that they should have the authority to reach into the sovereignty of the United States. They can say whatever they want. The fact is that they have no authority. The United States does not recognize it. The United States has not ceded any of its authority to the United Nations; but if we sign onto a world court, we sign it away forever. That is the danger of this world court. That is the danger of that treaty.

It is built on a flawed foundation, this world court. These flaws leave it open for exploitation and politically motivated prosecutions. If we had a world court in place in the last 6 weeks, what do Members think, how many charges would have been filed by now against the country of Israel or against Yasir Arafat, who is a known terrorist, a lifelong terrorist? It would be so lopsided. Regardless of which side of the issue Members are on, it is very clear that the propaganda machine in the last month has been anti-Israel. Everything is Israel's fault. It has been completely ignorant of Arafat's history or the homicide bombers on Passover.

Mr. Speaker, that is my concern about this world court. The prosecutor and the judges of the world court, they have no supreme court that sits above them. They have no checks and balances that determine whether or not the course of action that they have chosen is an appropriate course of action, is a course of action that could be supported by the rule of law. They are not subject to anyone. They answer to no one.

Accountability in our judicial system is what gives the foundation of the judiciary its strength. If there are no checks and balances, no accountability, that is defined as a dictatorship; and the prosecutor would come as close to a judicial dictator as any we have ever seen in the history of the judicial system in a free country, in countries of democracy.

Let me just review a few key points about my comments this evening. The world court, the President of the United States in the last few days has issued a directive, which he has the authority to do, that the United States will not participate, will not be a participant in the world court. The world court is a new entity that is being formed, being primarily driven by the European Union. This court would be

given unparalleled jurisdiction over the territories of all countries in the world, purportedly even over the United States, even though the United States will not cede any of its sovereignty. They can say anything they want, but they will not have any jurisdiction unless we give it to them, and the President chose not to give them that authority. The President chose not to give up our sovereignty.

How did we get here? The reason is President Clinton in the last minutes he held office signed a sheet of paper that said we will go ahead with this treaty, sounds good to him. It is not good. The United States of America should maintain its own judicial system, a judicial system that cedes authority and power to no one but the people of the United States of America. The United States of America, our borders and our territories, should be ruled by the rule of law that our Constitution provides, that our Constitution, which gives rights to defendants and rights to the victims, which assures that somebody accused of a crime can face their accuser, which assures that somebody who is tried for a crime can have a trial by a jury of their own peers.

Those kinds of rights are fundamental in our Constitution, and they are fundamental for the judicial system being so successful, relatively speaking, to any other system known in world history over this last 100 years.

The United States does not belong in a world court. The President was correct, and the President and the administration should get a strong voice of support from every Congressman, keeping us out of a world court and keeping that authority within the borders of the United States. This is not partisan. The fact is, it is American. Americans should keep what they have. What they have is the greatest judicial system known in the history of the world.

Let me make my final summary. I began this evening talking with my respected colleagues from the Blue Dogs, and I listened with interest to their comments given over an hour period of time. Some of their comments had some validity, but I felt the remarks were so partisan and such a strong attack on the majority party, the Republicans, and such an attack on the administration and our President, but it was never pointed out by the Blue Dogs, they identified themselves as Blue Dogs. I think it is important to point out while they may belong to an organization called Blue Dogs, the fact is that they are all Democrats. There are no Republicans in the organization. It is a Democratic organization, and it is an election year, and the purpose of one party is to try to gain advantage over the other party in an election year.

Keep in mind that those Members in that 1 hour of attacking the budget and the majority and the administration, one, is not responsible for coming up

with a budget; two, is not in the majority; and, three, is doing it for partisan purposes, in my opinion.

The next thing I want to make very clear, I think if one were to stand up here and talk about how terrible it is that the majority has pork projects and how terrible that we cannot balance our budget, how we need to stand up and worry about the future of our kids, as if any Member of Congress does not care about the future of kids, and how senior citizens are being abandoned by Social Security, as if any Member thinks that we should abandon senior citizens, that is the tool of fear.

The fact is that one ought to vote as they speak. It would seem to me that someone who is talking about a balanced budget, who is talking about stopping the pork programs, about moving that money into education and where the money really helps us the most, should be amongst the most vocal opponents of the farm bill. The farm bill has some magic to it because it is called the farm bill. Take a look at the budget-busting numbers of that bill.

I thought it was very ironic that these three gifted speakers, very dynamic in their focus on controlling the budget and controlling spending, when we look at the voting record, each Member voted yes, yes, yes, on the biggest budget-busting bill we have had in a long time up here. That is the kind of transparency that we should have.

Mr. Speaker, look at this world court. I hope each and every Member can support the President in the President's move to pull the United States from participation in this so-called court. Keep in mind it is countries like Cuba, and any other country has the same authority that the United States does, that the prosecution has no oversight, there is no Bill of Rights, there are no constitutional rights. This would be the most powerful system, the most powerful political organization known to the world once it gets up and going.

□ 2115

#### ILLEGAL IMMIGRATION

The SPEAKER pro tempore (Mr. GRUCCI). Under the Speaker's announced policy of January 3, 2001, the gentleman from Colorado (Mr. TANCREDO) is recognized for 60 minutes.

Mr. TANCREDO. Mr. Speaker, tonight I want to talk about an issue of great concern to me. I hope it is of great concern to my colleagues. I know it is of great concern to a majority of Americans out there. I know that because I receive thousands and thousands of communications from people all over this country about immigration, about their concerns with regard to immigration. And I have certainly taken this floor many nights to discuss my observations, to express my concern, my own personal concerns about massive immigration into the United States and the effects thereof.

Recently I had the great opportunity to travel to Arizona, specifically to a site known as the Coronado National Forest. The Coronado National Forest is a beautiful and wild region of southern Arizona that has been a national forest since the early 1900s. It is undergoing a dramatic transformation. It is being transformed from a national forest of great pristine beauty into a forest that resembles more of a trash heap, frankly, than a forest. The environmental degradation of that forest is great, with the thousands and thousands and thousands, hundreds of thousands, actually, of people who come through there every year, and I am not talking about campers and hikers and bikers and picnickers, I am talking about illegal aliens. Because, as it turns out, Mr. Speaker, that particular part of the Nation has become the thoroughfare for the movement of illegal drugs and illegal immigrants into the United States. Like every other phenomenon of this kind, this has happened because we have put pressure on various parts of the border and it has essentially moved more and more people into this corridor. They see it as a very valuable piece of real estate from their point of view because it is rugged, it is difficult to be detected, and so it now has become the point through which a majority of the people coming into this country and a great amount of the illegal narcotics coming into this country will flow. As a result of this traffic, as a result of the sheer volume, we find that the forest, the Coronado National Forest, is under siege. Perhaps 60,000, maybe by now as we speak 70,000 acres have been burned this year so far. Fires start in this forest because UDAs, as they are referred to, as the folks coming through there illegally are referred to by the Forest Service and Border Patrol, that stands for undocumented alien, UDAs have started these fires. They start campfires in the evenings to stay warm and then they simply move on and let the fires burn and much of the forest has been destroyed as a result of it. On their way through the forest both now, as we are talking about both people coming through just seeking jobs and people coming through carrying drugs on their shoulders, this traffic has begun to wear into the land so that if you fly over it, which I did the weekend before last, I spent one day, Saturday, on horseback there and Sunday in a helicopter going over the forest. As you fly over the forest in a helicopter, you look down, what you are looking at is simply a spider's web of trails. These are not Forest Service trails. These are trails that are worn into the land by the thousands and thousands of people entering the country illegally. The trash that is left behind by these folks makes the place look essentially like a landfill more than it does a national forest; thousands and thousands of plastic bottles, trash from the backpacks that are homemade. These are the backpacks that are used to carry the drugs.

This is a picture of someone, and it is hard to perhaps identify him clearly here, but this is a picture of an individual carrying all of this, and that is closer to 75 pounds of narcotics. This one here looks like it is marijuana. But they will create these homemade backpacks. This gentleman is coming through on his own. Oftentimes they come through in larger numbers, 20 and 30 at a time, preceded by someone with an M16 guarding them and being followed by someone with an M16. A lot of times these folks will run into campers and hikers and bikers and people just there to enjoy the national forest. They are confronted by illegals coming through. It is a dangerous situation, to say the least.

But I want to just focus for a little while longer on the environmental aspect of this thing because that is what I went down there to see, Mr. Speaker. I went down to the Coronado National Forest because I had been told that the problems that the Forest Service was facing with UDAs, or undocumented aliens, in this particular area were so great that the forest was actually in jeopardy. So I thought to myself, what an interesting situation. I have been on this floor many, many evenings and certainly I have been in committee meetings and I have been on radio programs and television programs to talk about the problems with massive immigration into the United States. They are many. There are political consequences to massive immigration. There are economic consequences to massive immigration. There are social ramifications, cultural and national security issues that arise as a result of having essentially open borders. All of these things warrant our concern in this body. All of these things warrant the concern of the Nation. But another dimension of this whole problem is, of course, this environmental tragedy that is occurring not just in the Coronado National Forest, I should tell you, but in many areas on the southern border. It is an environmental problem, along with all of the other ones I mentioned.

On our side of the border down there, we have operated a range management program that has successfully brought back many thousands of acres of native grasses, has kept the land from being overgrazed. Maybe I should have put all of that, by the way, in past tense. Because over the last several years, livestock fences are routinely cut or knocked over by undocumented alien individuals trafficking through there. Consequently, livestock from the Mexican side comes into the United States side and begins grazing on the rangeland. This results in the overgrazing of carefully managed public lands. It results in erosion, a shortage of forage for U.S. ranchers who hold valid permits to the land.

These people also utilize and damage livestock water tanks. They break into Forest Service corrals and private buildings. You can see where the live-

stock have come across and where the land has been essentially denuded, looking very similar to land on the other side of the fence in Mexico, where, of course, there is no range management program. That is the ravages on the land just stemming from overgrazing.

Then, of course, there is the fire issue I brought up. So far this year, over 53 fires have broken out in the Coronado. People on the ground tell us that UDAs and the smugglers starting unauthorized warming fires in the forest likely cause 70 to 90 percent of all the fires. Fires have consumed over 5,000 acres in the tinderbox Coronado, not including the 35,000-acre fire that started the day that we left there, the Ryan fire. It is burning near the communities of Sonita and Huachuca City. We do not know, but now it could be closer to 50 or 60,000 acres. We are not sure.

Not only do we have the problem with these fires being ignited by careless activity as a result of these people coming through the forest but their presence in such large numbers in this forest actually prevents our people from being able to fight the fires effectively. During one fire that was referred to as the Oversight fire earlier this year, which consumed over 2,000 acres, the Forest Service was forced to suspend evening firefighting efforts after a, quote, pack train of 70 to 100 emboldened and potentially armed smugglers walked through a firefighters' camp in the vicinity of the fire. Air tanker fire retardant drops also had to be delayed and coordinated to account for the presence of illegal aliens in this area. So we could not fight the fires they started. We could not do it effectively for fear of harming somebody on the ground because there are so many people in this area. These are not the folks from the United States and other countries who have come there legally, who have paid their fees to come into the forest and who have, in fact, tried to enjoy that forest. These are undocumented aliens in the area. Millions and millions of dollars have been expended to try to fight these fires. As I say, they have to fight them with one hand tied behind them, essentially, because of the presence of so many people.

When these fires start and when they are finally put out, we still have horrendous problems that develop. Erosion, caused by the fact that we have lost the ability for trees and shrubs to actually hold the ground in the area where they have been burned, erosion becomes a horrendous problem.

□ 2130

It is a problem that is not easily remedied or rectified. Along those same lines, the thousands of people, as I mentioned, create these foot paths, these trails, and everywhere we go, we see them. The Forest Service people tell us those are not Forest Service trails, those are UDA trails. And because the undocumented aliens coming

in are fearful of having sensors placed in certain areas detecting their presence, they will use a path for a certain amount of time and then they move over to the side and start another one. So now, they have worn literally thousands of trails into the mountainside of the Coronado.

It is an ugly sight from the air. When one is on the ground, that ugly sight is compounded by the litter. Hundreds of thousands of one-gallon plastic jugs mark the trail that these people take. We can see here that this gentleman is carrying, as I say, several packages of narcotics through the forest, and it is not easy to distinguish on this picture, but they have created their own home-made sort of backpacking materials, which are really just kind of nylon ropes and some sort of nylon material that wraps around it.

Well, when they get to the place where they are going to stop and unload this and subsequently load it into trucks, trucks that come in, by the way, on roads that are not Forest Service roads, but that are carved into the mountain as a result of so much traffic, to come and pick up the drugs that again, they are everywhere. One can see them everywhere. When they get to one of those roads where they can unload this into trucks, they just take all of this stuff off and dump it there.

So periodically, we will see these large, large stacks of trash, trash; just their drug accoutrement trash, I guess I will call it.

This forest and our Nation are under siege. This forest is a microcosm, in a way, of what is happening in America because, of course, there are environmental consequences to massive immigration. Hundreds of thousands and now up to 11 million people we think presently are in the country illegally, plus the massive numbers of people that we allow into the country legally, create enormous problems for us from an environmental standpoint. If one doubts this, go to East L.A. and take a look at what has happened to that part of the city. Take a look at what has happened to many cities where the infrastructure cannot keep up with the number of people coming in, and sprawl is the result, and people move out and move to other areas of the country, like my State.

I happen to represent a district now that includes a county called Douglas County. Douglas County is the fastest growing county in the Nation for the second year in a row. Now, Douglas County is being impacted by immigration and impacted by people who are coming here directly, coming to this county and others in Colorado, directly from other countries, but also people who are coming from cities like Los Angeles and cities in Texas and cities in Arizona that have been impacted by immigration.

So it is a process by which massive immigration comes in at certain points, it causes people to leave the area because of a variety of reasons

dealing specifically with quality of life issues, and they go somewhere, and they are coming to Colorado. Our task is to try to keep up with it, to build the infrastructure necessary to provide services and schools, hospitals, roads and all the rest. It is a very expensive undertaking and it is environmentally challenging, to say the least. I have lived in Colorado all of my life, and I must admit to my colleagues that asphalt and concrete are not nearly as appealing as trees and grass, but asphalt and concrete are what are expanding in Colorado, not trees and grass. And that is happening all over the Nation, of course. And the reason is, as I say, immigration, massive immigration in numbers that we have never before witnessed in this Nation.

Presently we bring in about a million people a year legally; add to that about another quarter of a million that we identify as refugees, and about another million or so that we net gain every year from illegal immigration. That 2 to 2.5 million people a year number is about 10 times the number of immigrants that came into this Nation at the height of immigration into the United States, the heyday of immigration in the past century and the previous century to that. Around the early 1900s, 1902 or so, we received about a quarter of a million people a year.

Now, admittedly, the population of the Nation was smaller and so the percentage of immigrants was higher. But I still say that it is becoming more and more difficult to deal with the issue of immigration. It is more difficult now because this is a different country, for one thing. It is a country that will encourage people to come here and not disassociate from the country of their birth; it encourages them to keep their own language. We tell them that their children will be taught in their native language in the schools. We do not force them into English language proficiency which, of course, creates a number of problems educationally. We are creating an impoverished class as a result of refusing to teach children in a language, in this case English, that is the language of commerce, industry, and business and is the language that one must speak somewhat fluently in order to be successful in this country. We are stealing that away from them.

And why? All because we worship at the altar of multiculturalism and we believe and we teach children that whatever culture that was prevalent in the land from which they came is a culture that is better than the one to which they have arrived, the one they are living in today. We teach them that any culture is better than the United States, that any country is better, that any society is better, that all we are as a Nation are people with a heritage that is not worthy of great merit or praise.

Not only that, we provide welfare. When our grandparents came here, great-grandparents, however long ago the bulk of America's ancestors came

to the United States, there was no such thing as welfare. People had to work, or they starved. So they got jobs, and menial jobs at first. But then, in order to move up the ladder, they had to learn English in order to improve themselves, to get better jobs. And the combination of the lack of welfare and the lack of this bizarre multiculturalist philosophy, we had people who integrated into American society. Most of them wanted to. Most of them came here for that purpose. They came with a desire to disconnect from their culture, their history, their heritage, to a large extent.

Still, certainly everyone is proud of their heritage and can hang on to certain aspects of it but, for the most part, people came to be Americans. That meant learning English, that meant melting into and becoming part of an American mosaic.

That is changing today, so that we have a different kind of America to which people are coming and a different group of people who are coming. Many coming today do not wish to be part of that mosaic. They wish to remain separate. They want to celebrate not only the achievements of their own societies, of their own culture and history of the past, but they want to supplant that here in the United States.

We have about 6 million people in the United States today that claim dual citizenship. This is new. This is different. We never, ever had anything like that in the past. When people came here, for the most part they wanted to become Americans. That meant giving up their citizenship.

Mr. Speaker, when one takes an oath to become an American citizen, one says they disavow all the rest, they disavow any allegiance to any foreign government, potentate, and there is a whole large thing one goes through to describe their task. Well, people take that oath, but they do not live up to it, because they will retain their citizenship and retain voting rights in other countries, and they are encouraged to by other countries.

We are creating a nation that Samuel Huntington in his book "A Clash of Civilizations" warns us will be our own destruction. He calls it a "cleft society," one cut into. Two sets of principles, two sets of ideas, two cultures, two languages, at the minimum.

Of course, there are places where many more languages and cultures and everything are maintained in the country. This is the Balkanization of America. It is different today than it was in the past. Certainly from our Nation's beginning, there has been a debate over how many immigrants should come in, from what country, for what purpose. And many of these debates, unfortunately, were based upon the basis of emotions, fear, racism, xenophobia.

So therefore, today to talk about immigration in a way that is a negative or to make any sort of critical remarks about it, all of those old stereotypes are brought out by the opponents of



people who want education reform. And therefore, it is fearful to stand up and talk about this issue in a public forum. But it must be talked about, and it certainly should be talked about here in this body.

Mr. Speaker, this supposedly is the marketplace of ideas, this place, where we should never shrink from bringing to the attention of the Nation and our colleagues issues of great importance to our own future and, certainly massive immigration is something that is incredibly significant when we are talking about the future of the Nation, and it should be discussed. We should determine as a Nation, as a Nation we should determine how much immigration we want, for what purpose, for how long, all of these things a sovereign nation does.

There are people, Mr. Speaker, who wish to abandon the concept of a sovereign nation. There are many people who believe that borders are no longer relevant, that they are anachronistic, as a matter of fact; that they are impediments to the free flow of goods and services, and that we should abandon them for all intents and purposes, and that in the United States, we should adopt a model similar to the model prevalent in Europe today referred to as the European Union: Common currency, the essential elimination of borders, and the amalgamation of a lot of people into one sort of quasi-governmental entity.

Well, okay. That is a point of view. It is a point of view I do not share, I do not believe in, but it is a point of view, and it should be debated openly. But my concern is, Mr. Speaker, that we will reach that point in a relatively short period of time and we will turn back and say, how did this occur? How did it happen that we lost essentially our own sovereignty as a Nation? And we will be surprised by the fact that America is a different place than it was a short time ago.

Now, as I say, if we make that decision in this body, if we make that decision in a democratic fashion, a bill is introduced to abandon the borders, it passes, the President signs it, okay, fine. But if we make this decision in a de facto way, that is what is disconcerting. Because I believe, Mr. Speaker, that a majority of Americans today do not want that, yet that is where we are going. That is actually the direction that this government is taking, our administration, and even this Congress. Some are doing it purposely. Some want that end result that I have just described.

□ 2145

Some are doing it for other reasons. Massive immigration into the United States is beneficial to us, to certain people, to certain groups, and is a very politically sensitive topic. Let us be candid about it.

The reality is that massive immigration into the United States is supported by one party, in this case, the

Democrats, because they know that massive immigration will accrue to their benefit politically. For the most part, immigrants going into the United States will, as they become citizens, and sometimes, unfortunately, even before they become citizens, cast votes. When they cast votes, they will do so for the Democratic party. That has been historically the case.

On our side of the aisle, on the Republican side of the aisle, we are hesitant to try to stop immigration, or reduce it, I should say, to manageable levels because we hear from our constituents in the business community who say, we need cheap labor. There are many jobs that we have available that Americans will not take. I hear that all the time.

The H-1B is an interesting example of that. This is a category of visa, the H-1B visa, that we now give out to people to come into the United States who have certain talents in the area of high-tech, especially. We are told that there are not enough Americans to fill the jobs in the high-tech community.

Now, Mr. Speaker, I do not know what is happening in others' States, but I will tell the Members that in mine there are plenty of workers available, because thousands and thousands have been laid off in that particular industry. Yet, we still bring in 195,000 H-1B visa recipients every year to take the jobs of Americans who have been laid off. But this is an example of the kind of pressure that our side of the aisle is under, to not do anything about immigration.

Then also on our side there are people with a libertarian perspective and libertarian philosophy. That is what I described earlier: Borders are anachronisms. They really are unnecessary. We should eliminate them. People should move from country to country at their whim, get jobs as they are available, and we should not be actually trying to determine who are coming across these borders.

Now, I mean, that sounds bizarre to some people, but I guarantee that this is a strong sentiment among many of my colleagues. It is certainly a sentiment among some of the think tanks in this Nation, the Cato Institute being the foremost of them, espousing this libertarian philosophy. Certainly the editorial page of *The Wall Street Journal* pushes the same kind of philosophy.

So it is not something that I am telling the Members here that is coming about in some sort of sub rosa fashion. These are people who believe in this, who push this concept. Now, they were set back a little after September 11. They could not talk about open borders after that as willingly as they had in the past because people would say, what are you, out of your mind? Open borders? Are you crazy? The people who came in here to do such damage to this country, the people who came in here and hijacked these planes and drove them into buildings, they all

came in here on visas. Or some of them, of course, had overstayed their visa, and some were here illegally, but they were all immigrants. They were all noncitizens of the United States. Are you suggesting in your right mind that we should simply ignore people who come across these borders?

So because the sentiment of the American people was so quickly riveted here against open borders, we do not hear much about it. But I guarantee that the sentiment is not gone and the desire to move in that direction has not dissipated. It is simply going dormant for a while. It is going through their quiet period, if you will. They do not want to talk about it, but I assure Members, that is what they want to accomplish.

So we move in that direction in a variety of ways. We refuse to do anything to significantly change the nature of the immigration service. We have passed a bill out of here that everybody touted a few a few weeks ago, or excuse me, last week. We passed a bill out of here that was touted as the reform of the INS, the Immigration and Naturalization Service. Do I not wish, do I not wish it was the reform of the INS.

But it is so like us in this building, in this body, to create an illusion because we know there is great public sentiment out there for reform, so we pass something that we call INS reform. But is it reform? Not at all. Is it better than what we have today? Yes.

I often liken it to giving the Titanic an extra lifeboat. Before it left, if we knew what we know now and somebody said, do you think we should put another lifeboat on, we would say, well, yes, sure. That is better. But it is not the solution. But the person goes, that is all we are going to do right now. We will call it the salvation of the Titanic. Of course it is not. Of course it is not.

I assure the Members that simply dividing the INS into two parts and keeping it in Justice, the Department of Justice, and keeping, for the most part, the same people as the administrators of that agency, the same people who are completely incompetent and incapable today of administering that agency will be the people who will be unable to administer the new agency that we are creating in the Department of Justice.

What are we doing about all of the other parts of border control that are under other agencies, and making it a confusing mish-mash of responsibilities: Customs, Agriculture? All these agencies have different responsibilities for border control. We are doing nothing about that. There will still be confusion, overlapping authority, indirect lines of communication, inability to communicate among all the various groups that have some sort of responsibility.

All that will be there. It will still be on the border, each one honoring points being run by a different agency, so that the people who want to come into the country illegally or to ship

drugs in will be able to look through binoculars, as they do today, sitting on a hill overlooking the port of entry, and see which agency is handling which drive lane. Then they radio down and say, if they are smuggling drugs, they will want to go through this lane because that is being handled by this agency and they are less concerned about that; and if they are smuggling people, it is over here. That is what happens today. That will not change.

We will still have an agency managed by incompetent people, having been shown their incompetence, or unwillingness. In some cases, they are competent individuals, but they are completely unwilling to actually uphold the law of the land when it comes to immigration control, Border Patrol. They do not believe in it. Even the present head of the INS has said he does not like that part of his job. He does not like being a policeman.

This gentleman, who should have been, of course, dismissed, if not when we recognized the failures of the INS after 9/11 then certainly when we, 6 months subsequent to 9/11, sent a couple of the hijackers their visas, although they were dead.

But he is still there. In fact, Mr. Speaker, not one single person in this great debacle we call the INS, and all of the things that we know that have happened that have been documented over and over again, the failures of the system, not one person has been dismissed, not one. What makes us think for a moment that just changing the nameplate on the door will change the way people act?

But we have people on the ground who are trying, who are working as hard as they can, people in the Forest Service, people in the Border Patrol who face this day in and day out, this particularly in the Coronado National Forest, but, of course, it is like this in many, many places on our borders.

This is a couple of pictures I took of a fence, a barbed wire fence. This has a cattle guard that goes through it here, and this has a regular gate over here. There is nothing else here, nothing else for miles and miles except a rather well-used road.

This road is not on any map, and neither is this one, because this road is a road that is used by illegals, primarily by illegals to come into the country; yes, to come across the border. That fence is the border between the United States and Mexico. That cattle guard is the port of entry, if you will.

Up here, there is a sign on our side of the border. I have to get it a little closer to me to see this and read it. It says here: "All persons and vehicles must enter the United States at a designated port of entry only." By the way, this is facing the United States side. "All persons and vehicles must enter the United States at a designated port of entry only. This is not," underlined, "this is not a designated port of entry. Any violation is," blah blah, and then here it is printed in Spanish.

We had the same sign over here on this side of the border, the same signs telling American citizens or anybody else that this is not a port of entry, but certain people on the Mexican side would come across every night, steal the signs and tear them down.

They put them up on our side. We welded them up on two metal posts. They came one night with a torch and took them down, cut them down, all because this happens to be an area that is heavily trafficked also by hikers and people visiting, tourists. Sometimes they will wander across into Mexico. When they do, they are grabbed by the Mexican police, taken to jail, and essentially extorted of all of their money. What I mean by that is they are held because they are told, well, you are here in Mexico illegally and it is going to cost you so much to get out. It is blackmail. That is all there is to it. They take down the signs on our side so as to hopefully track people coming across from our side to theirs.

But this is the border. Now, I am told that the administration has come out with something they call a "smart border" program. "Smart borders," I do not know exactly what that means, of course, but I have an idea that there is going to be a lot more technology and that sort of thing. I am all for it.

It will be interesting to see how long these gates remain, because, by the way, they were made into gates because they simply trampled down the fence so many times that they gave up putting it back up. They just left it and said, I cannot stop it anymore.

This is an example, perhaps, of smart border. It is an example of what the people on the border have to put up with constantly.

There are a total of four U.S. Forest Service personnel to guard 60 miles of border along that Coronado forest. They do so with the help of I am not sure how many Border Patrol people, but they do a great job. I want to tell the Members right now that I want to wish every one of them the very best. I understand what they are up against.

I want to mention John McGee, who is the forest supervisor for the Coronado forest; Rocky Stone, who works for the Arizona High-Intensity Drug Trafficking Area; Dan Bauer, the National Forest Service Drug Enforcement Program coordinator. These are some of the folks I went down there with. There is Richard Padilla and Greg Zelo of the Forest Service, special agents.

All these people were immensely helpful in getting us a good, clear picture of what is going on on this border.

□ 2200

Let me tell you one of the most peculiar and interesting aspects of the trip I took down there. It was not just to see, I mean, I was surprised by and certainly distressed by the amount of environmental degradation that is occurring in this forest as a result of the thousands of people coming through there illegally.

But there is another aspect of this thing that was fascinating. During a briefing that we had the first day by Mr. Stone with the High Intensity Drug Trafficking Area folks, they explained to us a project they are working on and a process called "cobija," which is Spanish for blanket and it just means essentially that they are trying to get the various agencies, Customs and Border Patrol and Forest Service all of the agencies that have responsibility for border protection to sort of bring together all of the information that they have, they have accumulated over the course of the last couple of months since they last met and so they can plot out where best to deploy their resources. Because, of course, during certain periods of time you recognize that you are having more traffic of a certain nature through certain parts of the border, more heavy drug trafficking coming through here, more heavily in the area of people coming through smuggling over here, smuggling of guns. In this case from north to south is a huge problem.

So they try and figure out where they can deploy their resources the best, and they try to do that by getting all the information from all the agencies together. This is one of the slides that we saw during this briefing. And I had to stop them because I said, What do you mean here? It says here UDAs by border patrol sectors, and this one here is a major drug trafficking organization. But over here this one is talking about the number of people that were actually arrested or that they got in the last year or so, 400,000. It was not the last year. I am sorry. That was during the last period of time that they met, 403,000 through that Tucson area, which is where we met. It is a huge number.

We got to talking about this, and they showed me another slide that said incursions of the Mexican Government into the United States territory in the year 2001. And I was taken aback by that and I said, What do you mean incursions into the United States? They said, That is just it. We have 23 times in the year 2001. We confirmed incursions of the Mexican military or members of the federal police in Mexico who came into the United States. And we confronted them at some point. We met them. That is how we knew they were here. And sometimes it became a very tense situation with guns drawn on both sides. And in most cases the members of the military withdrew; the members of police withdrew but in some cases shots were fired, and it became a very difficult thing to deal with.

I just was surprised by that because I had never heard of that. I mean, I guess I ask you, Mr. Speaker, have you ever heard of, did you know that just last year foreign troops, in this case Mexican government troops and/or members of the foreign police establishments, came into the United States without our permission? You have to ask yourself, of course, why.

We have found out, by the way. I should say we found out this was not unique to 2001, that over the course of the last 7 years or so we have had over 100 documented incursions. And you have to say, well, why? And I asked that question. What do you mean? Why were they coming? And they could only speculate. And I said, Well, could it be that they were lost? And they found that quite humorous, the folks I was talking to, and laughed and said, Everybody down here knows where the border is. No, the people who came down here knew they were on our side.

What were they doing on our side? And the speculation was it was in conjunction with some drug trafficking activities, that perhaps members of the military or the police down there were protecting a cartel moving some product through the area, or perhaps they were creating a diversion so that this drew our border people away while it did move through another area. We are not sure yet. We are not sure. But I wrote a letter to the Mexican President Vicente Fox, and I asked him to explain to me what he knew about it, and, more importantly, what he was doing to stop it. Although I did not receive a letter from him, I received a letter from the Mexican ambassador to the United States that told me essentially that he did not like the tone of my letter and that these issues were handled satisfactorily, that in each case some explanation was made and everybody is happy about it.

Well, I know that not to be true. I know when I talked to the State Department they were concerned about this. They told me of a time around Nogales, Arizona, just a short time ago, told me of an incident that occurred just a short time ago, where a group of maybe 100 illegals were coming into the United States. They were hiding in a culvert in and around Nogales. They were all carrying large amounts of drugs in, smuggling drugs into the United States; but we got them. We arrested them, and about half of them were members of the Mexican military.

Now, I do not know if these guys were on leave or something; but I do know that the problem of corruption in the Mexican military and the police is endemic. We all know that. There is not a soul in here that does not understand that corruption in Mexico is debilitating for the government. And I do believe that Vicente Fox is going to try to do something about that, to try and produce a better situation down there. But I want to know what they are going to do, and I want to know now. I want to now how they are planning to stop these incursions, because, Mr. Speaker, this is a very dangerous situation.

Not only do I believe that these incursions are a result of drug trafficking into the United States, and that these people are participants in that in some way or other, but I also believe that it is a very dangerous situation. At some

point in time someone will be killed here in the confrontation because these people are heavily armed, and they are coming up against our folks who are armed. And one of these days something very ugly is going to occur.

I want to know what the Mexican Government is doing to stop this; and do not tell me they were lost. Do not tell me these people came wandering across the border heavily armed, retreated only when they came across some part of the American Forest Service or Border Patrol, and do not tell me they were lost. That is not true. They were here for a reason. I want to know what it is, and I want an answer; and I will not stop discussing this until I get one.

I know it is embarrassing to the Government of Mexico. It may be embarrassing to our own government that does not want these issues to be dealt with openly. Even the State Department told me, look, we are trying to deal with this at the highest levels. We are trying to negotiate. Well, it has not worked. It has been 7 years as it turns out. I was surprised when I heard about it. Twenty-three incidents in 2001. It turns out it was not unique. This was not an aberration, the year 2001. It has been happening a lot. It is starting to increase. Talk to the people down there at the border. They will tell you the problems they face. They will tell you these people are not lost. They will tell you that they are armed. They are dangerous. They are worried about what is going to happen when they confront hikers and bikers and campers in the national forest. This is a dangerous situation.

What are we going to do about it? There is a wall that is built. There is a wall that separates the countries that goes through Nogales for 3 or 4 miles. It is about 15 feet high or so. I suggest that that wall should be continued at least along that forest border. And, yes, it will simply move people around it. I know that is true, but at least we can start to protect that forest in that area. Because if you are an environmentalist, Mr. Speaker, if anyone in this body has the slightest concern about the environment, they should go to the Coronado National Forest. They should begin doing all the things they do so effectively in any other part of the United States when they believe that the environment is being jeopardized: chain themselves to trees and start protests and demand action on the part of the government, and start a letter-writing campaign and boycott certain industries, or I do not know. Do whatever you want to do as environmental activists, but do it for the sake of this forest.

Why is it, Mr. Speaker, I ask you, why is it that we have not heard a word out of the Sierra Club or Friends of the Environment or any of the myriad of organizations that call themselves environmentally sensitive? Why have we not heard a word about the Coronado Forest? I will tell you why. It is be-

cause they do not want to say anything that would be thought to be derogative of immigration. Well, you cannot have it both ways. In this case, immigration, massive immigration through this forest, massive illegal immigration through this forest is causing the problem. We have to do something about it. If it is a wall, it is a wall. If it is more border patrol, that is what we need. If it is an agreement with Mexico to actually clean up their act, then that is what we need.

But I do not know that we will get it, Mr. Speaker. I do not hold any illusions here about the degree to which we will press this issue for fear that we will lose votes among Hispanics here in the United States, for fear that Mexico will take affront at this. But I will tell you, Mr. Speaker, when we become concerned enough about our national security to recognize that it is not just drug traffickers, not just people looking for jobs in Tucson who are coming across this border or who could come across this cattle guard, but it is the next Mohammed Atta.

Today they are crossing through these gates and over this fence carrying literally tons among the accumulated mass of narcotics coming across, literally tons of narcotics being carried on shoulders into the United States. What is to say that tomorrow or yesterday somebody did not come across this border with 50 pounds of something much more dangerous on his shoulders?

Smart border? I do not think so. This is a national security problem. It is an environmental problem. It is a cultural problem. It is an economic problem. It is a political problem. It is all of those things. To ignore it is an act of incredible idiocy. These things have implications for us, for who we are today, and who we will be tomorrow as a Nation.

If Mexico is our friend and ally, as I often hear them referred to, I would ask again, What are you going to do about this? How are you going to help us stop this? How are you going to help us stop people coming into the United States? Why do you not stop pressuring us to give amnesty to those people who are here illegally? Why is it so important to you in Mexico, I would say, Mr. Speaker, why is it so important to you to have us give amnesty to people who are here illegally, especially from Mexico? What does that matter? How come that is a major foreign policy issue?

Now, these questions are questions for every American citizen. They have to ask themselves if, by the year 2100, they want a Nation of a little over a billion people, because that is exactly where we are headed now if we keep the population growth at the present level. And 90 percent of that population growth by the year of 2100 when we hit a billion will be as a result of immigration. Is that okay? Is that where we want to go? Some do. It turns into political hay for them, political benefit. Others do. It turns into cheap labor and the bottom line, the immediate bottom line.

But I ask all of my colleagues to think beyond the immediate. Think about the Nation. Think about the implications of massive uncontrolled immigration into this country. Think about September 11. How many of those days do you want to relive?

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. ACKERMAN (at the request of Mr. GEPHARDT) for today on account of a death in the family.

Ms. CARSON of Indiana (at the request of Mr. GEPHARDT) for today on account of her primary election.

Mr. KIND (at the request of Mr. GEPHARDT) for today and May 8 on account of official business.

Mr. BURTON of Indiana (at the request of Mr. ARMEY) for today and the balance of the week on account of illness in the family.

Mr. CRANE (at the request of Mr. ARMEY) for today and May 8 on account of personal reasons.

Mr. OSE (at the request of Mr. ARMEY) for today and the balance of the week on account of a death in the family.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

The following Members (at the request of Mr. JOHN) to revise and extend their remarks and include extraneous material:

Mr. PALLONE, for 5 minutes, today.

Ms. NORTON, for 5 minutes, today.

Mr. HOYER, for 5 minutes, today.

Mr. DAVIS of Illinois, for 5 minutes, today.

Mrs. CHRISTENSEN, for 5 minutes, today.

The following Members (at the request of Mr. GRUCCI) to revise and extend their remarks and include extraneous material:

Mr. RAMSTAD, for 5 minutes, May 8.

#### ENROLLED BILL SIGNED

Mr. Trandahl, Clerk of the House, reported and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 4156. An act to amend the Internal Revenue Code of 1986 to clarify that the parsonage allowance exclusion is limited to the fair rental value of the property.

□ 2215

#### ADJOURNMENT

Mr. TANCREDO. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 15 minutes p.m.), the House adjourned until tomorrow, Wednesday, May 8, 2002, at 10 a.m.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 8 of rule XII, executive communications were taken from the Speaker's table and referred as follows:

6643. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Sodium Starch Glycolate; Exemption from the Requirement of a Tolerance [OPP-2002-0018; FRL-6833-9] (RIN: 2070-AB78) received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Agriculture.

6644. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of State Plans For Designated Facilities and Pollutants: Rhode Island; Negative Declarations [RI 044-6991a; FRL-7170-1] received April 9, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6645. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO 151-1151; FRL-7170-6] received April 9, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6646. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; Illinois [IL207-1a; FRL-7159-9] received April 9, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6647. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Approval and Promulgation of Implementation Plans; State of Missouri [MO 155-1155a; FRL-7175-3] received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6648. A letter from the Principal Deputy Associate Administrator, Environmental Protection Agency, transmitting the Agency's final rule—Revisions to the California State Implementation Plan, Monterey Bay Unified Air Pollution Control District [CA 247-0322a; FRL-7158-4] received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

6649. A communication from the President of the United States, transmitting a report on the status of efforts to obtain Iraq's compliance with the resolutions adopted by the U.N. Security Council, pursuant to 50 U.S.C. 1541; (H. Doc. No. 107-210); to the Committee on International Relations and ordered to be printed.

6650. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operating Regulation; Pascagoula River, Mississippi [CGD08-02-005] received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6651. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Long Island, New York Inland Waterway from East Rockaway Inlet to Shinnecock Canal, NY [CGD01-02-038] (RIN: 2115-AE47) received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6652. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation

Regulations; Florida East Coast Railroad Bridge, St. Johns River, Jacksonville, Florida [CGD07-02-032] received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6653. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Great Egg Harbor Bay, New Jersey [CGD05-02-006] received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6654. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: New Rochelle Harbor, NY [CGD01-02-036] received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6655. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Drawbridge Operation Regulations: Fore River, Me [CGD01-02-040] received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6656. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; Long Island Sound, Thames River, Great South Bay, Shinnecock Bay, Connecticut River and the Atlantic Ocean Seventeen Annual Fireworks Displays [CGD01-01-077] (RIN: 2115-AA97) received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6657. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Security Zones; Ports of Houston and Galveston, Texas [COTP Houston-Galveston-02-006] (RIN: 2115-AA97) received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6658. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Safety Zone; California and Arizona Border on the Colorado River [COTP San Diego 02-009] (RIN: 2115-AA97) received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6659. A letter from the Chief, Regulations and Administrative Law, USCG, Department of Transportation, transmitting the Department's final rule—Anchorage and Security Zones; Oahu, Maui, Hawaii, and Kauai, HI [COTP Honolulu 02-001] (RIN: 2115-AA97) received May 3, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6660. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; SOCATA—Groupe AEROSPATIALE Models MS 892A-150, MS 892E-150, MS 893A, MS 893E, MS 894A, MS 894E, Rallye 150T, and Rallye 150ST Airplanes [Docket No. 2001-CE-41-AD; Amendment 39-12672; AD 2002-05-04] (RIN: 2120-AA64) received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6661. A letter from the Paralegal Specialist, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Pilatus Aircraft Ltd. Models PC-12 and PC-12/45 Airplanes [Docket No. 2001-CE-07-AD; Amendment 39-12687; AD 2002-06-10] (RIN: 2120-AA64) received April 16,

2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6662. A letter from the Paralegal Specialist, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Cessna Aircraft Company P206, TP206, TU206, U206, 207, T207, 210, P210, and T210 Series Airplanes [Docket No. 2001-CE-42-AD; Amendment 39-12695; AD 2002-07-01] (RIN: 2120-AA64) received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6663. A letter from the Program Analyst, FAA, Department of Transportation, transmitting the Department's final rule—Airworthiness Directives; Bombardier Model CL-600-2C10 (Regional Jet Series 700 and 701) Series Airplanes [Docket No. 2002-NM-70-AD; Amendment 39-12688; AD 2002-06-51] (RIN: 2120-AA64) received April 16, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Transportation and Infrastructure.

6664. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Special Rules for Certain Transactions Where Stated Principal Amount Does Not Exceed \$2,800,000 (Rev. Rul. 2001-65) received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6665. A letter from the Chief, Regulation Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update (Notice 2001-65) received April 9, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6666. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Expansion of Safe Harbor Provisions Under Notice 88-129 (Notice 2001-82) received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6667. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Determination of Issue Price in the Case of Certain Debt Instruments Issued for Property (Rev. Rul. 2002-2) received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6668. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Low-Income Housing Credit—received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6669. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Elimination of User Fees for Certain Determination Letter Requests Pursuant to Section 620 of the Economic Growth and Tax Relief Reconciliation Act of 2001 (Notice 2002-1) received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6670. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Distributions of Stock and Securities of a Controlled Corporation (Rev. Rul. 2002-1) received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6671. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Definitions and Special Rules For Purposes of Minimum Survivor Annuity Requirements (Rev. Rul. 2001-67) received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6672. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—North Dakota State University v. United States—received April

22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6673. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Robert L. Beck v. Commissioner—received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6674. A letter from the Chief, Regulations Unit, Internal Revenue Service, transmitting the Service's final rule—Disclosure Initiative for Certain Transactions Resulting in Waiver of Certain Penalties Under Section 6662 of the Internal Revenue Code (Announcement 2002-2) received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

6675. A letter from the Chief, Regulation Unit, Internal Revenue Service, transmitting the Service's final rule—Weighted Average Interest Rate Update (Notice 2002-9) received April 22, 2002, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

## REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committee were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. THOMAS: Committee on Ways and Means. House Joint Resolution. Resolution disapproving the action taken by the President under section 203 of the Trade Act of 1974 transmitted to the Congress on March 5, 2002; adversely (Rept. 107-437). Referred to the Committee of the Whole House on the State of the Union.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. S. 378. An act to redesignate the Federal building located at 3348 South Kedzie Avenue, in Chicago, Illinois, as the "Paul Simon Chicago Jobs Corps Center" (Rept. 107-438). Referred to the House Calendar.

Mr. YOUNG of Alaska: Committee on Transportation and Infrastructure. H.R. 3694. A bill to provide for highway infrastructure investment at the guaranteed funding level contained in the Transportation Equity Act for the 21st Century; with an amendment (Rept. 107-439). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 2818. A bill to authorize the Secretary of the Interior to convey certain public land within the Sand Mountain Wilderness Study Area in the State of Idaho to resolve an occupancy encroachment dating back to 1971 (Rept. 107-440). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN: Committee on Resources. H.R. 3954. A bill to designate certain waterways in the Caribbean National Forest in the Commonwealth of Puerto Rico as components of the National Wild and Scenic Rivers System, and for other purposes; with an amendment (Rept. 107-441). Referred to the Committee of the Whole House on the State of the Union.

Mr. HANSEN. Committee on Resources. H.R. 4044. A bill to authorize the Secretary of the Interior to provide assistance to the State of Maryland for implementation of a program to eradicate nutria and restore marshland damaged by nutria; with an amendment (Rept. 107-442). Referred to the Committee of the Whole House on the State of the Union.

Mr. TAUZIN. Committee on Energy and Commerce. H.R. 4560. A bill to eliminate the deadlines for spectrum auctions of spectrum previously allocated to television broadcasting (Rept. 107-443). Referred to the Com-

mittee of the Whole House on the State of the Union.

Mr. REYNOLDS. Committee on Rules. House Resolution 414. Resolution providing for the disposition of the joint resolution (H.J. Res. 84) disapproving the action taken by the President under section 203 of the Trade Act of 1974 transmitted to the Congress on March 5, 2002 (Rept. 107-447). Referred to the House Calendar.

## REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. SENSENBRENNER. Committee on the Judiciary. House Resolution 103. Resolution referring the bill (H.R. 1258), entitled "A bill for the relief of Sarabeth M. Davis, Robert S. Borders, Victor Maron, Irving Berke, and Adele E. Conrad", to the chief judge of the United States Court of Federal Claims for a report thereon (Rept. 107-444). Referred to the Private Calendar.

Mr. SENSENBRENNER. Committee on the Judiciary. H.R. 486. A bill for the relief of Barbara Makuch (Rept. 107-445). Referred to the Private Calendar.

Mr. SENSENBRENNER. Committee on the Judiciary. H.R. 487. A bill for the relief of Eugene Makuch (Rept. 107-446). Referred to the Private Calendar.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following title were introduced and severally referred, as follows:

By Mr. SMITH of Michigan (for himself, Ms. EDDIE BERNICE JOHNSON of Texas, Mr. BOEHLERT, Mr. HALL of Texas, Mr. SMITH of Texas, Mrs. MORELLA, Mr. HONDA, Mr. EHLERS, Mr. BAIRD, Mr. ETHERIDGE, Mr. NETHERCUTT, Mrs. BIGGERT, Mr. BARCIA, Mr. GILCHREST, Mr. BACA, Mr. CALVERT, Mr. UDALL of Colorado, and Ms. LOFGREN):

H.R. 4664. A bill to authorize appropriations for fiscal years 2003, 2004, and 2005 for the National Science Foundation, and for other purposes; to the Committee on Science.

By Mr. CAPUANO (for himself and Mr. FLETCHER):

H.R. 4665. A bill to authorize the Secretary of Health and Human Services to award grants to associate degree schools of nursing and professional nursing organizations to improve nursing education, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TOM DAVIS of Virginia (for himself, Mr. EHRLICH, Mr. HOYER, Mrs. MORELLA, Mr. GILCHREST, Mr. FORBES, Mr. MORAN of Virginia, Mr. SCOTT, Mr. WYNN, Mr. HOLDEN, Mr. HOFFEL, Mr. HINCHEY, Mr. WOLF, Mr. GOODLATTE, Ms. NORTON, Mr. BARTLETT of Maryland, Mr. CARDIN, Mr. CUMMINGS, and Mr. WALSH):

H.R. 4666. A bill to amend the Federal Water Pollution Control Act to provide assistance for nutrient removal technologies to States in the Chesapeake Bay watershed; to the Committee on Transportation and Infrastructure.

By Mr. FOLEY (for himself, Mr. LAMPSON, Mr. GILMAN, Mr. POMEROY, Mr. REYES, Mr. GREEN of Wisconsin, Mr. WAMP, Mr. DIAZ-BALART, Ms.

ROS-LEHTINEN, Mr. CRENSHAW, Mr. CAMP, Mr. WICKER, Mr. PUTNAM, Mr. JONES of North Carolina, Mr. HOEKSTRA, Mr. RYAN of Wisconsin, Mr. DELAY, and Mrs. WILSON of New Mexico):

H.R. 4667. A bill to protect children from exploitive child modeling, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HUNTER (for himself and Mr. UDALL of Colorado):

H.R. 4668. A bill to amend the Internal Revenue Code of 1986 to expand the renewable resources production tax credit to include additional forms of renewable energy, and to expand the investment tax credit to include equipment used to produce electricity from renewable resources; to the Committee on Ways and Means.

By Ms. EDDIE BERNICE JOHNSON of Texas (for herself, Ms. KILPATRICK, Mr. OWENS, Ms. LEE, Mr. CONYERS, Mr. HILLIARD, Ms. MCKINNEY, Mr. BLAGOJEVICH, Mr. RUSH, Mr. PAYNE, Ms. VELAZQUEZ, Mr. RANGEL, Ms. WATERS, and Mr. CUMMINGS):

H.R. 4669. A bill to provide for racial equity and fair treatment under the program of block grants to States for temporary assistance for needy families; to the Committee on Ways and Means.

By Mr. KOLBE (for himself, Mr. STUMP, Mr. UDALL of Colorado, and Mr. UDALL of New Mexico):

H.R. 4670. A bill to reauthorize the United States Institute for Environmental Conflict Resolution, and for other purposes; to the Committee on Education and the Workforce, and in addition to the Committee on Resources, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MATSUI (for himself, Mr. RANGEL, Ms. DELAUNO, Mr. DOGGETT, Mr. CARDIN, Mr. POMEROY, Mr. BECERRA, Mr. STARK, Mr. LEVIN, Mr. MCDERMOTT, Mr. KLECZKA, Mr. LEWIS of Georgia, Mr. NEAL of Massachusetts, Mr. McNULTY, Mrs. THURMAN, Mr. HOLDEN, Mr. MALONEY of Connecticut, Mr. PALLONE, Ms. BROWN of Florida, Ms. KAPTUR, Mr. PASCRELL, Ms. SCHAKOWSKY, Mr. FILNER, Mr. BROWN of Ohio, Mrs. CAPPS, Mr. KUCINICH, Mr. FARR of California, Mr. MURTHA, Mr. SANDLIN, Mr. KILDEE, Mr. MENENDEZ, Ms. MILLENDER-MCDONALD, Mr. KIND, Mr. RODRIGUEZ, Mr. NADLER, Mr. KANJORSKI, Ms. LEE, Ms. NORTON, Ms. BALDWIN, Ms. KILPATRICK, Mrs. JONES of Ohio, Mr. THOMPSON of California, Ms. BERKLEY, Ms. LOFGREN, Ms. WOOLSEY, Mrs. LOWEY, Ms. WATSON, Mr. MEEHAN, Ms. MCKINNEY, Mr. DINGELL, Mr. HINCHAY, Ms. MCCOLLUM, Ms. SLAUGHTER, Ms. MCCARTHY of Missouri, Mr. DAVIS of Illinois, Mr. BENTSEN, Mrs. CLAYTON, Mr. WAXMAN, Mr. BAIRD, Mrs. DAVIS of California, and Mr. BONIOR):

H.R. 4671. A bill to amend title II of the Social Security Act to improve benefits for aged survivors, disabled survivors, and divorced spouses, and for other purposes; to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall with-

in the jurisdiction of the committee concerned.

By Mr. JEFF MILLER of Florida:

H.R. 4672. A bill to provide that, if an individual is expelled from Congress, any Member service previously rendered by that individual shall be noncreditable for purposes of determining eligibility for or the amount of any benefits which might otherwise be payable out of the Civil Service Retirement and Disability Fund based on the service of that individual, and for other purposes; to the Committee on House Administration, and in addition to the Committee on Government Reform, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mrs. MORELLA:

H.R. 4673. A bill to amend the Public Health Service Act to provide for voluntary reporting by health care providers of medication error information in order to assist appropriate public and nonprofit private entities in developing and disseminating recommendations and information with respect to preventing medication errors; to the Committee on Energy and Commerce.

By Ms. NORTON:

H.R. 4674. A bill to assist local governments in conducting gun buyback programs; to the Committee on the Judiciary.

By Mr. RAMSTAD (for himself, Mr. CRANE, Mr. HERGER, Mr. SAM JOHNSON of Texas, Mr. ENGLISH, Mr. MCINNIS, Mr. FOLEY, and Mr. BRADY of Texas):

H.R. 4675. A bill to amend the Internal Revenue Code of 1986 to provide that the tax on recognized built-in gain of an S corporation shall not apply to amounts reinvested in the business; to the Committee on Ways and Means.

By Mr. WILSON of South Carolina:

H.R. 4676. A bill to amend title 10, United States Code, to provide that military retired pay for nonregular service shall be paid without regard to the age of a person otherwise eligible for such retired pay, rather than commencing when an otherwise eligible person attains age 60; to the Committee on Armed Services.

By Mr. YOUNG of Alaska:

H.R. 4677. A bill to clarify the authority for use of snowmachines in certain areas of Denali National Park and Preserve, and for other purposes; to the Committee on Resources.

By Mr. FOLEY (for himself and Mr. FARR of California):

H. Con. Res. 397. Concurrent resolution supporting National Tourism Week; to the Committee on Government Reform.

By Mr. FROST:

H. Res. 413. A resolution designating minority membership on certain standing committees of the House; considered and agreed to.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 31: Mr. CANNON.  
H.R. 122: Mr. BOEHLERT, Mr. GILLMOR, Ms. DUNN, and Mr. PORTMAN.  
H.R. 168: Mr. CANNON.  
H.R. 548: Ms. ROS-LEHTINEN, Mr. CANNON, Mr. MALONEY of Connecticut, and Mr. TERRY.  
H.R. 786: Ms. KILPATRICK and Mr. KLECZKA.  
H.R. 925: Mr. HOEFFEL.  
H.R. 1073: Ms. ROS-LEHTINEN.  
H.R. 1090: Mr. MCDERMOTT, Ms. BALDWIN, and Mr. JOHN.

H.R. 1134: Mr. PRICE of North Carolina.  
H.R. 1186: Mr. TOWNS.  
H.R. 1265: Ms. CARSON of Indiana.  
H.R. 1354: Mr. VITTER.  
H.R. 1371: Mr. BALDACCIO.  
H.R. 1455: Mr. CANNON.  
H.R. 1460: Mr. CANNON.  
H.R. 1465: Mr. WAXMAN.  
H.R. 1475: Mr. CLAY and Mr. BASS.  
H.R. 1494: Mr. MATSUI and Mr. REYES.  
H.R. 1522: Mr. HILLIARD.  
H.R. 1581: Mr. GORDON.  
H.R. 1642: Mr. BENTSEN.  
H.R. 1808: Mr. BLAGOJEVICH and Mrs. CLAYTON.  
H.R. 1841: Mr. GRUCCI, Mr. HOEFFEL, and Mrs. NAPOLITANO.  
H.R. 1919: Mr. WILSON of South Carolina, Mr. MCGOVERN, and Mr. DUNCAN.  
H.R. 1987: Mr. RYAN of Wisconsin and Mr. CANTOR.  
H.R. 2058: Mr. BAIRD.  
H.R. 2117: Ms. DEGETTE.  
H.R. 2125: Mr. LAFALCE.  
H.R. 2148: Mr. DAVIS of Illinois and Ms. WATSON.  
H.R. 2373: Mr. GREEN of Texas, Mr. PENCE, and Mr. PAUL.  
H.R. 2419: Mr. SANDERS and Mr. CHAMBLISS.  
H.R. 2570: Mr. JACKSON of Illinois.  
H.R. 2663: Mr. GIBBONS.  
H.R. 2723: Mr. TERRY.  
H.R. 2874: Mrs. CAPPS, Mr. FRANK, Ms. SLAUGHTER, Mr. HALL of Ohio, Ms. BALDWIN, and Mr. PAYNE.  
H.R. 2953: Mr. BACA.  
H.R. 3109: Mr. GILMAN, Mr. FRANK, Mr. HASTINGS of Florida, Ms. BROWN of Florida, and Mr. BISHOP.  
H.R. 3130: Ms. EDDIE BERNICE JOHNSON of Texas and Mr. BORSKI.  
H.R. 3238: Mr. CUMMINGS, Ms. DEGETTE, and Mr. LAFALCE.  
H.R. 3246: Mr. BALDACCIO.  
H.R. 3253: Mr. FILNER.  
H.R. 3292: Mr. HOBSON.  
H.R. 3321: Ms. NORTON.  
H.R. 3414: Mr. CARSON of Oklahoma and Mrs. NAPOLITANO.  
H.R. 3450: Mr. LATHAM, Mr. KINGSTON, Mr. PASCRELL, and Ms. HOOLEY of Oregon.  
H.R. 3464: Mr. TIERNEY, Ms. MCCARTHY of Missouri, and Mr. KLECZKA.  
H.R. 3580: Mr. WHITFIELD and Mr. NORWOOD.  
H.R. 3581: Mr. SHERMAN.  
H.R. 3741: Mr. GRUCCI, Mrs. MALONEY of New York, and Mr. TRAFICANT.  
H.R. 3794: Mr. CAPUANO, Mr. ABERCROMBIE, Mr. BORSKI, and Mr. SAXTON.  
H.R. 3833: Mr. MCINTYRE.  
H.R. 3834: Mr. BOOZMAN, Mr. ANDREWS, and Mr. LUCAS of Kentucky.  
H.R. 3884: Mr. MOORE.  
H.R. 3894: Mr. KLECZKA.  
H.R. 3915: Ms. LEE and Mr. KENNEDY of Rhode Island.  
H.R. 4000: Mr. ISAKSON, Mr. MCHUGH, Mr. BAIRD, Mr. BONIOR, Mr. FRANK, and Mr. STUPAK.  
H.R. 4003: Mr. FALCOMA-VAEGA.  
H.R. 4015: Ms. BROWN of Florida, Mr. SHUSTER, Mr. RODRIGUEZ, Mr. PICKERING, Mr. LYNCH, Mr. FALCOMA-VAEGA, Mr. EDWARDS, Mr. FILNER, and Ms. MCKINNEY.  
H.R. 4018: Mr. FOLEY and Mr. QUINN.  
H.R. 4034: Mr. LANGEVIN and Mr. FATTAH.  
H.R. 4066: Mr. VISCLOSKEY, Mr. LAMPSON, Ms. WATERS, Mr. SAXTON, Mr. OWENS, Mr. WAMP, Mr. PASCRELL, and Mr. KANJORSKI.  
H.R. 4071: Mr. WAXMAN, Mr. TOWNS, and Mr. BASS.  
H.R. 4073: Mr. BEREUTER, Mr. WAXMAN, Mr. CLEMENT, Mr. ISAKSON, Mr. HALL of Ohio, Ms. LEE, Ms. ROYBAL-ALLARD, Mr. McNULTY, Mr. MICA, Mr. YOUNG of Alaska, Mr. WALSH, Mr. CASTLE, Ms. MILLENDER-MCDONALD, Mrs. DAVIS of California, Mr. GREENWOOD, Mrs. MORELLA, and Mr. MORAN of Virginia, Ms.



BROWN of Florida, Mrs. MEEK of Florida, Mr. SMITH of Washington, Ms. ESHOO, Mr. KIRK, Mr. NETHERCUTT, Mr. WEXLER, and Ms. WOOLSEY.

H.R. 4085: Mr. SHOWS, Mr. FALEOMAVAEGA, Mr. LYNCH, Mr. EDWARDS, Mr. FILNER, Ms. MCKINNEY, and Ms. CARSON of Indiana.

H.R. 4086: Mr. STRICKLAND, Mr. DAN MILLER of Florida, Mr. CLYBURN, Mr. LANGEVIN, Mr. HONDA, Mr. LATOURETTE, Mr. WOLF, and Mr. GRAHAM.

H.R. 4090: Mr. GREEN of Wisconsin, Ms. HART, and Mr. PITTS.

H.R. 4152: Mr. BISHOP.

H.R. 4169: Mr. COLLINS.

H.R. 4235: Mr. OWENS.

H.R. 4236: Mr. BACA, Mr. GUTIERREZ, and Ms. VELAZQUEZ.

H.R. 4481: Mrs. TAUSCHER.

H.R. 4483: Ms. PRYCE of Ohio, Mr. KNOLLENBERG, Mr. GREEN of Wisconsin, Mr. VITTER, Mr. SCHIFF, Mr. STUPAK, Mr. EDWARDS, and Mrs. DAVIS of California.

H.R. 4515: Mr. GORDON.

H.R. 4524: Mrs. JONES of Ohio, Mr. COYNE, and Mrs. MORELLA.

H.R. 4574: Mr. WELLER and Mr. DOYLE.

H.R. 4582: Mr. PAYNE, Mr. BORSKI, and Mr. DOYLE.

H.R. 4584: Mr. SMITH of New Jersey, and Mr. COOKSEY.

H.R. 4585: Mr. SMITH of New Jersey and Mr. COOKSEY.

H.R. 4600: Mr. FLETCHER, Mr. HOLDEN, Mr. BARTON of Texas, Mr. GANSKE, and Mr. WHITFIELD.

H.R. 4614: Mr. CROWLEY.

H.R. 4622: Mr. MCINNIS and Mr. JONES of North Carolina.

H.R. 4623: Mr. ROGERS of Michigan, Mr. LAMPSON, Mr. LOBIONDO, Mr. WELDON of Florida, Mr. CRAMER, Mr. BACHUS, Mr. GREEN of Texas, Ms. JACKSON-LEE of Texas, Mr. SCHIFF, Mr. STUMP, Mr. SAM JOHNSON of Texas, Mr. HANSEN, and Mr. OXLEY.

H.R. 4630: Ms. WATERS.

H.R. 4635: Mr. TIAHRT.

H.R. 4637: Mr. GREEN of Wisconsin.

H.R. 4642: Mr. DOOLITTLE.

H.R. 4646: Ms. SOLIS, Mr. MOLLOHAN, Mr. MENENDEZ, Mr. HOYER, and Ms. VELAZQUEZ.

H.R. 4653: Mr. SCOTT.

H.R. 4658: Mr. LYNCH and Mr. PAYNE.

H.R. 4659: Mr. PENCE and Mr. SMITH of New Jersey.

H.R. 4660: Mr. HASTINGS of Florida, Ms. HOOLEY of Oregon, Mr. LANGEVIN, Mrs. CAPPS, Mr. FALEOMAVAEGA, Mr. ENGLISH, and Mr. WELDON of Florida.

H.J. Res. 6: Mr. TERRY.

H.J. Res. 20: Mrs. MYRICK.

H.J. Res. 91: Mr. FOLEY and Mr. VITTER.

H. Con. Res. 315: Mr. WILSON of South Carolina and Mr. VITTER.

H. Con. Res. 341: Mr. CROWLEY and Mr. BLAGOJEVICH.

H. Con. Res. 350: Mr. VITTER.

H. Con. Res. 351: Mr. COYNE, Mr. DAVIS of Illinois, and Mr. ROYCE.

H. Con. Res. 385: Mr. SANDERS, Mr. DINGELL, Mr. TOWNS, Mr. JEFFERSON, Mrs. MALONEY of New York, Mrs. CAPPS, Mrs. ROUKEMA, and Mrs. MINK of Hawaii.

H. Con. Res. 390: Mr. HOYER, Mr. BOEHLERT, Mr. ANDREWS, Mr. HEFLEY, and Mr. DOOLEY of California.

H. Con. Res. 393: Mrs. CAPPS, Mrs. LOWEY, and Ms. NORTON.

H. Res. 346: Mr. RANGEL.

H. Res. 393: Ms. ROS-LEHTINEN, Mr. FRANK, and Mr. HEFLEY.

H. Res. 394: Mr. BONIOR and Mrs. CAPPS.

H. Res. 405: Mr. SAWYER, Mr. RUSH, Mr. ROTHMAN, and Mr. FARR of California.

H. Res. 412: Mr. LEVIN and Ms. MCKINNEY.

## AMENDMENTS

Under clause 8 of rule XVIII, proposed amendments were submitted as follows:

H.R. 4546

OFFERED BY: MR. BEREUTER

AMENDMENT NO. 1: At the end of subtitle D of title V (page \_\_\_\_\_, after line \_\_\_\_\_), insert the following new section:

### SEC. 533. PREPARATION FOR, PARTICIPATION IN, AND CONDUCT OF ATHLETIC COMPETITIONS BY THE NATIONAL GUARD AND MEMBERS OF THE NATIONAL GUARD.

(a) ATHLETIC AND SMALL ARMS COMPETITIONS.—Section 504 of title 32, United States Code, is amended by adding at the end the following new subsection:

“(c) CONDUCT OF AND PARTICIPATION IN CERTAIN COMPETITIONS.—(1) Under regulations prescribed by the Secretary of Defense, members and units of the National Guard may conduct and compete in a qualifying athletic competition or a small arms competition so long as—

“(A) the conduct of, or participation in, the competition does not adversely affect the quality of training or otherwise interfere with the ability of a member or unit of the National Guard to perform the military functions of the member or unit;

“(B) National Guard personnel will enhance their military skills as a result of conducting or participating in the competition; and

“(C) the conduct of or participation in the competition will not result in a significant increase in National Guard costs.

“(2) Facilities and equipment of the National Guard, including military property and vehicles described in section 508(c) of this title, may be used in connection with the conduct of or participation in a qualifying athletic competition or a small arms competition under paragraph (1).”

(b) OTHER MATTERS.—Such section is further amended by adding after subsection (c), as added by subsection (a) of this section, the following new subsections:

“(d) AVAILABILITY OF FUNDS.—(1) Subject to paragraph (2) and such limitations as may be enacted in appropriations Acts and such regulations as the Secretary of Defense may prescribe, amounts appropriated for the National Guard may be used to cover—

“(A) the costs of conducting or participating in a qualifying athletic competition or a small arms competition under subsection (c); and

“(B) the expenses of members of the National Guard under subsection (a)(3), including expenses of attendance and participation fees, travel, per diem, clothing, equipment, and related expenses.

“(2) Not more than \$2,500,000 may be obligated or expended in any fiscal year under subsection (c).

“(e) QUALIFYING ATHLETIC COMPETITION DEFINED.—In this section, the term ‘qualifying athletic competition’ means a competition in athletic events that require skills relevant to military duties or involve aspects of physical fitness that are evaluated by the armed forces in determining whether a member of the National Guard is fit for military duty.”

(c) STYLISTIC AMENDMENTS.—Such section is further amended—

(1) in subsection (a), by inserting “AUTHORIZED ACTIVITIES.—” after “(a);” and

(2) in subsection (b), by inserting “AUTHORIZED LOCATIONS.—” after “(b).”

(d) CONFORMING AND CLERICAL AMENDMENTS.—(1) Subsection (a) of such section is amended—

(A) in paragraph (1), by inserting “and” after the semicolon;

(B) in paragraph (2), by striking “; or” and inserting a period; and

(C) by striking paragraph (3).

(2) The heading of such section is amended to read as follows:

### “§ 504. National Guard schools; small arms competitions; athletic competitions”.

(3) The item relating to section 504 in the table of sections at the beginning of chapter 5 of title 10, United States Code, is amended to read as follows:

“504. National Guard schools; small arms competitions; athletic competitions.”

H.R. 4546

OFFERED BY: MRS. JO ANN DAVIS OF VIRGINIA

AMENDMENT NO. 2: At the end of title X (page 218, after line 15), insert the following new section:

### SEC. \_\_\_\_ SENSE OF CONGRESS CONCERNING AIRCRAFT CARRIER FORCE STRUCTURE.

(a) FINDINGS.—Congress makes the following findings:

(1) The aircraft carrier has been an integral component in Operation Enduring Freedom and in the homeland defense mission beginning on September 11, 2001. The aircraft carriers that have participated in Operation Enduring Freedom, as of May 1, 2002, are the USS Enterprise (CVN-65), the USS Carl Vinson (CVN-70), the USS Kitty Hawk (CV-63), the USS Theodore Roosevelt (CVN-71), the USS John C. Stennis (CVN-74), and the USS John F. Kennedy (CV-67). The aircraft carriers that have participated in the homeland defense mission are the USS George Washington (CVN-73), the USS John F. Kennedy (CV-67), and the USS John C. Stennis (CVN-74).

(2) Since 1945, the United States has built 172 bases overseas, of which only 24 are currently in use.

(3) The aircraft carrier provides an independent base of operations should no land base be available for aircraft.

(4) The aircraft carrier is an essential component of the Navy.

(5) Both the F/A-18E/F aircraft program and the Joint Strike Fighter aircraft program are proceeding on schedule for deployment on aircraft carriers.

(6) As established by the Navy, the United States requires the service of 15 aircraft carriers to completely fulfill all the naval commitments assigned to it without gapping carrier presence.

(7) The Navy requires, at a minimum, at least 12 carriers to accomplish its current missions.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the number of aircraft carriers of the Navy in active service should not be less than 12.

(c) COMMENDATION OF CREWS.—Congress hereby commends the crews of the aircraft carriers that have participated in Operation Enduring Freedom and the homeland defense mission.

H.R. 4546

OFFERED BY: MR. HOEFFEL

AMENDMENT NO. 3: At the end of title X (page 218, after line 15), insert the following new subtitle:

### Subtitle D—Review of Regulations Relating to Military Tribunals

#### SEC. 1041. SHORT TITLE.

This subtitle may be cited as the “Military Tribunal Regulations Review Act”.

#### SEC. 1042. CONGRESSIONAL REVIEW.

(a) PROCEDURES REQUIRED.—(1) Before a military tribunal rule takes effect, the President shall submit to Congress a report containing—

(A) a copy of the military tribunal rule;

(B) a concise general statement relating to the military tribunal rule; and

(C) the proposed effective date of the military tribunal rule.

(2) A military tribunal rule with respect to which a report is submitted under paragraph

(1) shall take effect on the latest of the following:

(A) The last day of the 60-day period beginning on the submission date for that rule.

(B) If the President, having been presented with a joint resolution of disapproval with respect to that rule, returns the joint resolution without his signature to the House in which it originated, together with his objections thereto, the date that is—

(i) the date on which either House, having proceeded to reconsider the joint resolution, votes on and fails to pass the joint resolution, the objections of the President to the contrary notwithstanding; or

(ii) if earlier, the date that is 30 days after the date on which the joint resolution, with the President's objections thereto, was returned by the President to the House in which it originated.

(C) The date on which the military tribunal rule would have otherwise taken effect, if not for this section (unless a joint resolution of disapproval is enacted).

(3) Notwithstanding paragraph (2), the effective date of a military tribunal rule shall not be delayed by operation of this subtitle beyond the date on which either House of Congress votes to reject a joint resolution of disapproval.

(b) EFFECT OF DISAPPROVAL.—(1) A military tribunal rule shall not take effect (or continue) if a joint resolution of disapproval with respect to that military tribunal rule is enacted.

(2) A military tribunal rule that does not take effect (or does not continue) under paragraph (1) may not be reissued in substantially the same form, and a new military tribunal rule that is substantially the same as such a military tribunal rule may not be issued, unless the reissued or new military tribunal rule is specifically authorized by a law enacted after the date of the enactment of the joint resolution of disapproval with respect to the original military tribunal rule.

(c) DISAPPROVAL OF RULES THAT HAVE TAKEN EFFECT.—Any military tribunal rule that takes effect and later is made of no force or effect by the enactment of a joint resolution of disapproval shall be treated as though such military tribunal rule had never taken effect, except that a trial of a person pursuant to such rule that is being carried out before the enactment of such joint resolution of disapproval shall continue to be

carried out as though such military tribunal rule remains in effect.

(d) RULE OF CONSTRUCTION.—If the Congress does not enact a joint resolution of disapproval with respect to a military tribunal rule, no court or agency may infer any intent of the Congress from any action or inaction of the Congress with regard to such military tribunal rule, related statute, or joint resolution of disapproval.

(e) JOINT RESOLUTION OF DISAPPROVAL DEFINED.—For purposes of this section, the term “joint resolution of disapproval” means a joint resolution introduced on or after the date on which a report referred to in subsection (a)(1) is received by Congress, the title of which is “Joint Resolution disapproving the rule submitted by the President on \_\_\_, relating to military tribunals”, containing no whereas clauses, and the matter after the resolving clause of which is as follows: “That Congress disapproves the rule submitted by the President on \_\_\_, relating to military tribunals, and such rule shall have no force or effect.” (The blank spaces being appropriately filled in).

#### SEC. 1043. DEFINITIONS.

For purposes of this subtitle:

(1) The term “military tribunal” means a military commission or other military tribunal (other than a court-martial).

(2) The term “military tribunal rule” means the whole or part of an agency statement of general or particular applicability and future effect designed to implement, interpret, or prescribe law or policy, or describing the organization, procedure, or practice requirements of a Department or agency, with regard to carrying out military tribunals.

#### SEC. 1044. JUDICIAL REVIEW.

No determination, finding, action, or omission under this subtitle shall be subject to judicial review.

#### SEC. 1045. REPORTING REQUIREMENTS FOR MILITARY TRIBUNALS.

(a) IN GENERAL.—(1) Subchapter XI of chapter 47 of title 10, United States Code (the Uniform Code of Military Justice) is amended by adding at the end the following new section:

##### “§ 940a. Art. 140a. Reports to Congress on military tribunals

“(a) For each military tribunal, the President shall submit to Congress periodic reports on the activities of that military tri-

bunal. The first such report with respect to a military tribunal shall be submitted not later than six months after the date on which the military tribunal is convened and shall include an identification of the accused and the offense charged. Each succeeding report with respect to a military tribunal shall be submitted not later than six months after the date on which the preceding report was submitted.

“(b) A report under this section shall be submitted in unclassified form, but may include a classified annex.

“(c) In this section, the term ‘military tribunal’ means a military commission or other military tribunal (other than a court-martial).”

(2) The table of sections at the beginning of such subchapter is amended by adding at the end the following new item:

“940a. 140a. Reports to Congress on military tribunals.”

(b) EFFECTIVE DATE.—Section 940a of title 10 United States Code, as added by subsection (a), shall apply with respect to any military tribunal covered after, or pending on, that date of the enactment of this subtitle. In the case of a military tribunal pending on the date of the enactment of this subtitle, the first report required by such section shall be submitted not later than six months after the date of the enactment of this subtitle.

H.R. 4546

OFFERED BY: MR. MANZULLO

AMENDMENT No. 4: At the end of title VIII (page 174, after line 5), add the following new section:

#### SEC. \_\_. RENEWAL OF CERTAIN PROCUREMENT TECHNICAL ASSISTANCE COOPERATIVE AGREEMENTS AT FUNDING LEVELS AT LEAST SUFFICIENT TO SUPPORT EXISTING PROGRAMS.

Section 2413 of title 10, United States Code, is amended by adding at the end the following new subsection:

“(d) With respect to any eligible entity that has successfully performed under a cooperative agreement entered into under subsection (a), the Secretary shall strive, to the greatest extent practicable and subject to appropriations, to renew such agreement with such entity at a level of funding which is at least equal to the level of funding under the cooperative agreement being renewed.”